

KINGSLEY PARISH COUNCIL

Minutes of a Meeting of Kingsley Parish Council held in Kingsley Community Centre on Tuesday 15th January 2020 at 7.00pm

Meeting No. 1

Commenced 7.00pm

Finished 8.15pm

Present	Cllr J Critchley (Chair), Cllr D Fletcher, Cllr D Crossley, Cllr S Begg, Cllr G Warburton, Cllr J Black.	Action Page 1
Attending	Parish Clerk Louise Hare, 16 members of the public were in attendance at this meeting.	
REF.		
20/1	Apologies received – Cllr C Pownall, Cllr A Currie and Cllr S Billows	
20/2	Declarations of Interests relating to any item on the agenda. Cllr Beggs declared an interest on a planning application for Pike House 19/04335/S73 and The Firs, Newton Hollow Road 19/04428/FUL. Cllr Black declared an interest on a planning application for Dark Lane 19/04448/FUL	
20/3	Public Participation Mrs Pownall, Mrs S Cooke, Mrs J Worth, Mr B Whim and Mr T Sztejer all spoke to raise their objections to the proposed development on Dark Lane 19/0448/FUL. They felt strongly that there was no proof of housing need, were concerned about access to the site from construction traffic. They also felt strongly about the need to retain the conversation area and felt this development if approved would set a precedent for future developments in or adjacent to the conversation area. Objections were also received on this application from Dr T Gorsuch, Cllr S Billows and Mrs E Gorsuch.	Clerk
20/4	Approval of the minutes from 17 th December 2019 were deferred to the next meeting.	

MINUTES SUBJECT TO APPROVAL AT THE NEXT COUNCIL MEETING

20/5

Planning Applications

Below are the planning applications that were considered at the meeting and the decision of the parish council to object or not to the application. For further information on their reasonings please see the Appendix document.

19/04335/S73 Land Adjacent Pike House Pike Lane: Variation of conditions 2 (plans), 3 (materials), 4 (landscape), 6 (drainage), 7 (visibility splays) and 8 (turning parking) of planning permission 17/03358/FUL Deadline: 14 Jan 2020

The Council discussed this application and then took part in a named vote on proposals set out by Cllr Critchley.

Proposal: Not to object.

All Cllrs were in agreement not to object to the application

19/04421/FUL: Outbuilding At Commonsidge Cottage Norley Road: Conversion of garage into independent dwelling / Holiday Let Deadline: 15 Jan 2020

The Council discussed this application and then took part in a named vote on proposals set out by Cllr Critchley.

Proposal: to Object

Cllrs in favour of objecting

Cllr J Black
Cllr D Crossley
Cllr J Critchley

Cllrs with no objection

Cllr G Warburton
Cllr F Fletcher

Cllr S Begg abstained from voting due to a declaration of interest.

Decision: Based on the above councillors vote the Council will be objecting to the proposal.

19/04428/OUT Land at The Firs, Newton Hollows Road: Erection of one dwelling and detached garage Deadline: 20 Jan 2020

The Council discussed this application and then took part in a named vote on proposals set out by Cllr Critchley.

Proposal not to object

All councillors unanimously agreed not to make an objection to this planning application

Decision: Not to Object

**19/04122/FUL Land Adjacent Clough Cottage, Hollow Lane:
Erection of one dwelling Deadline: 22 Jan 2020**

Proposal: To Object

All councillors unanimously agreed to objection to this planning application.

Decision: Objection

**19/04466/FUL Land Opposite Brookfield, Well Lane:
Demolition of garage and erection of one dwelling -
amendment to application 18/01869/FUL Deadline 23 Jan
2020**

Proposal: To object

Those in favour of objecting

Cllr D Crossley

Cllr D Fletcher

Cllr J Critchley

Cllr J Black

Those with no objections

Cllr S Begg

Those abstaining from voting

Cllr G Warburton

Decision: To object

**19/04078/FUL Village Institute, Top Road: Erect Six, 6.7 meter
high floodlights to one tennis court Deadline: 23 Jan 2020**

**Proposal: That the Parish do not object subject to there being no
objections by local residents.**

All councillors unanimously agreed not to objection to this planning application.

**Decision: Not to object -subject to there being no objections by
local residents.**

20/6	<p>Correspondence:</p> <p>Correspondence was received by the Parish Council from Simon Sherlock. The email from Nial Casselden, CWAC, clearly states that Kingsley Allotments would be deemed eligible for support from development money received from the Higher Heyes development. It also states that planning application for Higher Heyes Drive has secured the sum of £4692 to be allocated to the park in Kingsley.</p> <p>Telephone Kiosk</p> <p>The Clerk informed the meeting that St John’s Primary School PTA have submitted a request to adopt the telephone box outside the school. They are keen to hear from the Parish Council if they have any ideas for how this might be used. The Parish Council suggested installation of a defibulator in the box as one possible option.</p> <p>VE Day</p> <p>A brief discussion was held about how the Parish Council should support the VE day celebrations in the village but a fuller conversation was deferred to the next meeting.</p>	
20/7	Date of Next Meeting: Tuesday 21 st January 2020 at 7.00pm	

Appendix of Planning Applications as Reviewed by Planning Working Group

	Declaration
<p>19/04335/S73: Land Adjacent Pike House Pike Lane: Variation of conditions 2 (plans), 3 (materials), 4 (landscape), 6 (drainage), 7 (visibility splays) and 8 (turning parking) of planning permission 17/03358/FUL</p> <p>Deadline: 14 Jan 2020</p> <p>NO OBJECTION – the proposed changes do not have a significant impact on the development therefore KPC offers no objection</p>	Cllr Begg
<p>19/04421/FUL: Outbuilding At Commonsie Cottage Norley Road: Conversion of garage into independent dwelling / Holiday Let</p> <p>Deadline: 15 Jan 2020</p> <p>NO OBJECTION – while this is not a particularly attractive design due it is being a long, narrow dwelling KPC offers no objection</p>	
<p>19/04428/OUT: Land at The Firs, Newton Hollows Road: Erection of one dwelling and detached garage</p> <p>Deadline: 20 Jan 2020</p> <p>OBJECT –inappropriate development in the garden of a locally listed building. This land has been subject to a number of planning applications. This appear to be part of a piecemeal attempt to over-develop the site.</p> <p>17/01439/FUL (5 Dwellings + detached garage – refused 18/01853/FUL (2 Dwellings) refused then allowed on appeal subject to conditions.</p>	Cllr Begg
<p>19/04464/S73: Kingsley Mill, Mill Lane: Variation of condition 2(plans) of planning permission 18/00909/FUL</p>	

MINUTES SUBJECT TO APPROVAL AT THE NEXT COUNCIL MEETING

<p>Deadline: 20 Jan 2020</p> <p>NO OBJECTION</p>	
<p>19/04122/FUL: Land Adjacent Clough Cottage, Hollow Lane: Erection of one dwelling</p> <p>Deadline: 22 Jan 2020</p> <p>OBJECT – Inappropriate development in a wildlife area in the green belt</p> <p>Planning Application 4/32888 was approved in March 1999. This allowed the development of a fishing lake and wildlife area. It set a number of conditions, some of which have not been complied with. Significant problems were caused by the digging out of the lake and had an adverse impact on the adjacent cottage and flooding on Hollow Lane.</p> <p>It is in close proximity to Kingsley Community Primary and Nursery School and Hollow Lane and Hollow Lane is used by a significant number of HGVs accessing the Chicken processing business in the village.</p> <p>This is an anonymous design, too big for the plot at the gateway to, and on the periphery of, the village. It would also be in close proximity to the fishing lake and would be a potential hazard for children in this family home.</p> <p>The site appears to have been used to accommodate arisings from other sites for a number of years, consequently there may be contamination. Should approval be given the land must be checked for contamination, and the landscaping and access should be clearly defined.</p>	

<p>19/04466/FUL: Land Opposite Brookfield, Well Lane: Demolition of garage and erection of one dwelling - amendment to application 18/01869/FUL</p> <p>Deadline 23 Jan 2020</p> <p>The previous planning application 18/01869 was refused. This revised application is not significantly different, therefore we should re-iterate our reasons for objection</p> <p>KPC OBJECT to this planning application.</p> <ul style="list-style-type: none"> • Adverse impact on the conservation area • Overdevelopment of the site • Lack of access to the substation • Insufficient parking • Potential drainage issues <p>The site contributes to a green route into and the setting of the Kingsley Conservation Area. It sits immediately adjacent to the conservation area and its redevelopment will affect the setting of the conservation area as it is appreciated on approach up Well Lane.</p> <p>The amended plans do little if anything to reduce the overall substantial size of this family property and it will dominate the site, leaving inadequate space for parking and outdoor areas. There is no scope for on-road parking.</p> <p>We share the concerns of the Highways and Conservations officers.</p> <p>There is no provision for access to the substation and would urge you to consult the relevant utility company.</p> <p>We draw your attention the original comments made by the adjacent neighbour concerning the wetness of the plot.</p>	
<p>19/04078/FUL: Village Institute, Top Road: Erect Six, 6.7 meter high floodlights to one tennis court</p>	

<p>NO OBJECTION – subject to it being acceptable to nearby residents</p> <p>Deadline: 23 Jan 2020</p>	
<p>19/04448/FUL: Land At Dark Lane: Erection of 2no. two storey dwellings</p> <p>Deadline 31 Jan 2020</p> <p>KINGSLEY PARISH COUNCIL object to this proposal for the following reasons:-</p> <ul style="list-style-type: none"> • Impact on the Conservation area • Inappropriate development in the Green Belt • Highway Safety • Sewage Treatment • Flood risk • Impact on biodiversity <p>Case precedents</p> <p>In 2014, planning application 13/05346/FUL for a new single dwelling in Dark Lane adjacent to Shakespeare Cottage was refused and subsequently dismissed on appeal (APP/A0665/A/14/221631).</p> <p>In 2019 planning application 18/02739/FUL for two bungalows at the rear of 34 Top Road (actually accessed from Dark Lane) was refused and subsequently dismissed on appeal (APP/A0665/W/18/3214171)</p> <p>In 2019 planning application 19/01026/FUL for a four-bedroomed house in Dark Lane was refused</p> <p>We believe that the positions taken by CWaC and the Planning Inspector in these earlier applications are equally relevant to this current planning application and should be considered as the basis for reaching a decision.</p>	<p>Cllrs Pownall and Black</p>

IMPACT ON THE VILLAGE CONSERVATION AREA

National and local planning policies (NPPF of July 1018 and CWaC Local Plan Parts 1 &2) clearly state that the desirability of preserving or enhancing the character or appearance of a Conservation area is a matter of considerable importance and weight.

The application site is within the conservation area and needs to be assessed in that context. The development would have a clear visual impact on the distinctive landscape character of Dark Lane - one of the very few examples of an old, narrow 'green' lane that remains within the village. Apart from the nearby post WW2 bungalows all the other properties in the lane are of a late 18thC or earlier origin set upon sandstone plinth foundations. The overall character of the built environment of Dark Lane is one of an uneven and dispersed pattern of housing with an informal layout and a variety of green spaces between the developed frontages. The lane has a unique character of its own that other roads in the village no longer have. The original medieval field structure including the site of the present application is still intact. As stated in the appeal decision of January 2019 we concur with the statement that any benefit of development on that site is equally applicable to this site - "significantly and demonstrably outweighed by the harm the development would make to the character and appearance of the area and to the setting of the conservation area a designated heritage asset".

INAPPROPRIATE DEVELOPMENT IN THE GREEN BELT

The application (18/02739/FUL) was refused by the CWaC Case Officer on the basis of Policy STRAT9 of Local Plan Part1 as "inappropriate development in the Green Belt". We consider that this also applies to this the case. The proposed dwellings would affect the "openness" of the pasture land in this location and recommend that this opinion should be revisited. It is not limited infill in the village.

The proposed development site is on a sloping land which presents a green, undeveloped backdrop to the lane and provides a feeling of 'open space' between the existing properties along the road.

On previous occasions we have expressed reservations about development elsewhere in the village that tries to cram development onto small sites. (CWaC have also agreed with this stance by refusing a recent planning application 17/02597/FUL). Trying to fit two large dwellings on this relatively small site does nothing to protect open green spaces in the village.

There is also one further aspect in this regard: although setting a precedent is not normally a planning objection, we consider in this particular case it is.

HIGHWAY SAFETY

Although on previous applications the Highways Department have taken the view that the erection of one or two properties on Dark Lane would not materially affect the “road network” in the village, this misses the point. The impact of eight extra vehicles plus service vehicles on a lane where there is a total of only 24 resident vehicles is not insignificant.

Due to the narrowness of the lane it has been necessary to impose a restriction of 2 metres vehicle width. Access for service and emergency vehicles is very much an existing problem. Additional developments along Dark Lane will only increase traffic and compound the problem, especially in the event of emergencies such as fires.

Dark Lane is regularly used by walking groups, horse riders and cyclists. There are five public footpaths that join this single track lane. There is only one vehicle passing place and no pavements. Safety is very much an issue and has been highlighted by many residents in their objections to previous applications.

SEWAGE TREATMENT

The applicant proposes to connect to the main sewer. It will be recalled that access to the main sewage system in Dark Lane was refused for the

construction of 34 and 36 Top Road as being full to capacity and foul water from these properties is instead discharged to the main drain on Top Road.

FLOODING

The location of the new dwellings would be very close to Kingsley brook (the Nab Stream) which runs through the site, to the rear of the proposed dwellings. Dark Lane has flooded in the past and will do so again. We are aware the Strategic Flood Risk Assessment carried out by CWAC suggests that this location is not within a flood zone. That is simply incorrect as owners of properties along Dark Lane have pointed out in their objections to previous applications. The construction of 34 and 36 Top Road has already resulted in increased run-off into the field drains on a nearby site and into the Nab Stream.

These photographs show the resultant incursion of water on Top Road of previous flooding in Dark Lane:-



IMPACT ON BIODIVERSITY

The mission of the Government's Biodiversity 2020 strategy is to 'halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people.'

Please see the Cheshire Wildlife Trust's 2019 report *Protecting and Enhancing Kinglsey's Natural Environment*. (Commissioned by the Kingsley Neighbourhood Planning Group) Map 3 describes this swathe of land as a "terrestrial habitat of principal importance – deciduous woodland". Map 10 also describes this area as a wildlife corridor. Wildlife corridors are a key component of wider ecological networks as they provide connectivity

between core areas of high wildlife value/distinctiveness enabling species to move between them to feed, disperse, migrate or reproduce.

It is essential that Cheshire Wildlife Trust are consulted on this planning application before reaching a decision.

Map 3

Map 10

habitats of principal importance

Wildlife corridor



ADDITIONAL COMMENTS FROM RESIDENTS

At the Parish Council meeting on 15 January two further important comments were raised by residents

NO HOUSING NEED -There is NO demonstrable housing need for four bed houses in the Village. There are currently 10 such houses on the market in the Kingsley boundary and 3 of those have reduced the asking price indicating a slow market and no demand.

LAND USAGE - This land is certainly not a derelict field, it is a paddock. For years it has provided good quality grazing, with deep hedging on 3 sides surrounded by additional stock-proof fence and gates for grazing livestock. It has only in recent years been left unused. There is high demand for these grazing paddocks in Kingsley and is a valuable asset to our local rural economy.