

Kinnerley Parish Council response to ID40 Matter 20 – Oswestry Place Plan Area (Policy S13)

Regulation 19 Submission

1. We submitted our response to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan on 21 January 2021. This is the only document submitted by us which the Inspectors will have considered, although it was preceded within the Local Plan Review process by submissions, containing detailed arguments, both at the Preferred Sites stage of consultation and at the Regulation 18 Pre-submission stage.
2. In our Regulation 19 submission we argued, essentially, that the proposed residential development guideline figure of 60 houses for Kinnerley is unsound because it is not proportionate and it is not based on any specific evidence put forward by Shropshire Council, so is arbitrary.
3. This position was based on three primary reasons:
 - i) It is not proportionate to the existing guidelines under SAMDev. The SAMDev guideline for Kinnerley Village Community Hub, over the plan period of 20 years, was effectively for only 23 new houses, out of the total guideline for the whole of Kinnerley Parish which was for around 50 new dwellings. The figure proposed now for just Kinnerley Village is 60 new houses over 22 years. Our concern is that this disproportionate level of increase would put too much strain on the infrastructure, services and road network within and around Kinnerley.
 - ii) The increase proposed for Kinnerley Village Community Hub of around 41% is not proportionate to the average guideline of around 29% within the Oswestry Place Plan Area. The guidelines appear arbitrary because they result in increases in housing numbers which range from 9% to 71% in the various Hub villages within the Oswestry Place Plan Area.
 - iii) It is not proportionate with the 'urban focus' which underpins this Draft Local Plan. For the Oswestry Place Plan Area, the eleven Hubs combined are proposed to take a 29% increase in development compared with only 22% for Oswestry Town. That is not 'urban focus', particularly when Oswestry

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has a much higher proportionate increased guideline for employment land than other centres in Shropshire, and has better infrastructure than the rural Hubs.

4. We proposed that the new residential guideline for Kinnerley as a Community Hub should be no more than 50 dwellings, not the proposed figure of 60 dwellings.
5. We also stated that we wished to participate in the relevant hearing sessions, to ensure that our representations are addressed. That opportunity has not presented itself until now.

Shropshire Council’s response

6. Shropshire Council’s responses to our Regulation 19 submission were given in their 1,306 page Summary of Regulation 19 Responses at [sd01401-regulation-19-consultation-response-summary.pdf \(shropshire.gov.uk\)](https://www.shropshire.gov.uk/media/1401/regulation-19-consultation-response-summary.pdf) dated July 2021. Kinnerley Parish Council was respondent ref A0026 and the Shropshire Council responses are on electronic pages 85 and 86, as reproduced below:

Summary of Main Issue(s) Raised Within the Representation	Summary of Main Proposed Modification(s)	Shropshire Council Response
<p>The residential guideline for Kinnerley is too high, and Shropshire Council are not including past completions at Coly Anchor and Centenary Close which would take the guideline down once these are taken into account. The guideline is also not proportional to Kinnerley in terms of its size as well as when compared to other settlements' guideline in the Oswestry Place Plan area</p>	<p>The new residential guideline for Kinnerley as a Community Hub should be no more than 50 dwellings, not the proposed figure of 60 dwellings.</p>	<p>The completions at Coly Anchor and Centenary Close took place prior to 31st March 2016, and so are correctly not included in Shropshire Council's figures as they pre-date the plan period (i.e. before 31 March 2016). In terms of proportionality of development in Kinnerley - Shropshire Council takes due consideration on all settlements in terms of its housing guideline, looking at each settlements' opportunities and constraints. Kinnerley's percentage increase is comparable to several settlements in the Oswestry Place Plan area, including St Martins and West Felton. Each settlement is reviewed on a case-by-case basis, as every settlement has its own respective constraints and opportunities, and Kinnerley is seen as being a suitable settlement for the housing guideline given. Notably there are no allocations here, as it is expected the guideline will be reached through windfall development</p>

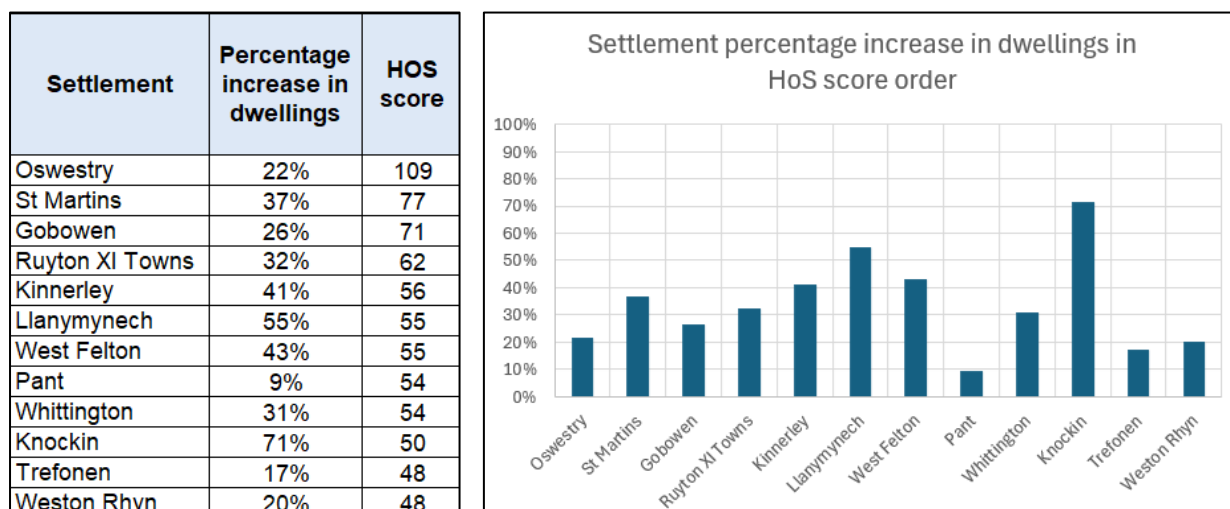
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7. In the entry reproduced in the left hand column, Shropshire Council has not properly summarised our above three reasons for objection:
 - i) *Not proportionate to the existing SAMDev guidelines:* our mention of completions at Coly Anchor and Centenary Close was incidental to our argument here, not the main part of it.
 - ii) *Not proportionate to the average guideline for Hubs within the Oswestry Place Plan Area:* this reason has been correctly captured.
 - iii) *Not proportionate with the ‘urban focus’ which underpins this Draft Local Plan:* this reason has not been mentioned at all.
8. The entry reproduced in the middle column has correctly captured our proposed Main Modification.
9. Shropshire Council’s responses, reproduced in the right hand column, have failed to address our three points, partly because of the incorrect capture of them in the first place. We elaborate further on these three points below.
 - i) ***Not proportionate to the existing SAMDev guidelines:***
10. Shropshire Council mention only the completions at Coly Anchor and Centenary Close as pre-dating the plan period. As noted above, our mention of these completions was incidental to our main argument. Shropshire Council has therefore not addressed the argument that their proposed residential development guideline of around 60 dwellings for the Hub village of Kinnerley is disproportionately high compared with the SAMDev equivalent of around 23 dwellings.
 - ii) ***Not proportionate to the average guideline for Hubs within the Oswestry Place Plan Area:***
11. Shropshire Council states that it “*takes due consideration on all settlements in terms of its housing guideline, looking at each settlements’ opportunities and constraints*”. It may believe this to be true but it is not backed up by any evidence. The only evidence produced within the Draft Plan process of each settlement’s *opportunities and constraints* is within the scores awarded in the Hierarchy of

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Settlements (HoS) methodology. The table below demonstrates that the proposed percentage increase in settlements’ dwellings bears no relationship to these HoS scores.

Table 1: Oswestry Place Plan – % increases in dwellings and HoS scores



12. The percentage increase in dwellings is taken from Table 2 below. The HoS scores come from Evidence Base document EV060 ([Delivering Local Priorities Through Partnership Working \(shropshire.gov.uk\)](#)).
13. The expectation might be either that all settlements would show a consistent percentage increase, or that those settlements with the higher scores (i.e. those settlements which are scored as being more sustainable) would have greater percentage increases. The bar chart to the right shows that neither scenario is true and that there is no discernible relationship between the two parameters.
14. Without any evidence of how the proposed guidelines relate to each settlement’s *opportunities and constraints*, the guidelines appear to be based only on the apparently arbitrary, unevidenced, and therefore secret, decision of officers. That does not qualify as being justified, and is therefore unsound.
15. Shropshire Council further states that *“Kinnerley’s percentage increase is comparable to several settlements in the Oswestry Place Plan area, including St Martins and West Felton”*. St Martins is nearly seven times the size of Kinnerley, and West Felton is over twice its size, so the comparison is not valid. As noted above, the huge range of variation indicates that there is no evidenced logic to the settlement guidelines.

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iii) Not proportionate with the ‘urban focus’ which underpins this Draft Local Plan:

16. As noted, Shropshire Council has failed to address this issue. The evidence is that it is not adopting an urban focus within the Oswestry Place Plan area in that its proposals result in a greater proportionate increase in the eleven rural Hubs than in the urban centre of Oswestry.

Relevant figures

17. For the record, we again set out some relevant figures, based on the updates produced by Shropshire Council.

18. Firstly, we have updated our original summary, for the Oswestry Place Plan Area, of the figures in Appendix 5 of the Draft Plan and the Hierarchy of Settlements (HoS), by using the new figures in the updated Housing and Employment Topic paper at [gc45-updated-housing-and-employment-topic-paper-april-2024.pdf](https://www.shropshire.gov.uk/gc45-updated-housing-and-employment-topic-paper-april-2024.pdf) ([shropshire.gov.uk](https://www.shropshire.gov.uk)).

Table 2: Oswestry Place Plan – summary of Hierarchy of Settlements and GC45 figures

GC45 Tables 10.2 & 10.3 : Residential Guidelines and Residential Supply within the Oswestry Place Plan Area								
Settlement	Hierarchy of Settlements Estimated dwellings	Residential Development Guideline	Percentage increase in dwellings	Completions (2016/17 to 2022/23)	Commitments			Windfall Allowance (as at 31st March 2023)
					Sites with Planning Permission or Prior Approval (as at 31st March 2023)	SAMDev Plan Allocations without Planning Permission (as at 31st March 2023)	Proposed Allocations without Planning Permission (as at 31st March 2023)	
Oswestry	8,797	1,900	22%	437	818	343	240	62
Gobowen	1,361	360	26%	114	115	90	25	16
Kinnerley	146	60	41%	21	18	0	0	21
Knockin	77	55	71%	22	3	0	25	5
Llanymynech	228	125	55%	41	0	32	50	2
Pant	533	50	9%	14	3	0	25	8
Ruyton XI Towns	385	125	32%	19	7	0	65	34
St Martins	971	355	37%	161	102	0	60	32
Trefonen	324	35	11%	6	0	0	0	29
West Felton	300	130	43%	65	-22	0	60	27
Weston Rhyn	779	155	20%	28	45	0	100	0
Whittington	649	200	31%	92	35	0	70	3
Totals / average	14,550	3,550	24%	1,020	1,124	465	720	239
Hubs total /	5,753	1,650	29%					

19. Secondly, we have then also updated our previous table of how we believe the completions and commitments for Kinnerley in the above updated Table 2 have been arrived at, to which we have added subsequent known commitments since 31 March 2023.

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Table 3: Detail of Kinnerley Village completions and commitments

Kinnerley Village - residential completions and commitments 2016/17 to date					
Planning Application	Address	Date of Decision	Permissions	Completions	Commitments
14/01281/FUL	Skylarks (Hall Farm Nursery Cottage)	09/01/2017	1	1	0
16/00902/REM	Willow Grove - Land Including Storage Buildings/Offices, Argoed Road, Kinnerley, Oswestry, Shropshire, SY10 8DH	17/06/2016	18	18	0
16/04719/FUL	Proposed Residential Development Opposite School, Kinnerley, Shropshire (KNY002)	14/03/2019	18	0	18
20/01504/FUL	1a Mayfields (1 Mayfields Plot 1)	16/06/2020	1	1	0
20/01505/FUL	58 Coly Anchor (1 Mayfields Plot 2)	16/06/2020	1	1	0
Sub-totals agreeing to GC45 Tables 10.1 and 10.2 as at 31st March 2023			38	20	18
Subsequent commitments					
23/02248/FUL	Kinnerley PO & stores, barn conversions	11/09/2023	3	0	3
24/01988/FUL	Cross Keys Inn flats	28/08/2024	2	0	2
Updated sub-totals			43	20	23
Other completions since adoption of KPNP in November 2012					
13/00615/FUL	Coly Anchor phase 2 (KNY001)			12	
14/05774/FUL	Centenary Close (KNY008) (ex Jubilee House site)			11	

20. The impact of the completions and commitments on the total number of dwellings in Kinnerley village remains similar, as shown below:

Table 4: Kinnerley Village total dwellings

Kinnerley Village - total dwellings		
Planning Application	Address	Total dwellings
Prior to adoption of KPNP in November 2012		128
13/00615/FUL	Coly Anchor phase 2	12
14/05774/FUL	Centenary Close (ex Jubilee House site)	11
Equivalent to HoS figure		151
14/01281/FUL	Skylarks (Hall Farm Nursery Cottage)	1
16/00902/REM	Willow Grove, SY10 8DH	18
20/01504/FUL	1a Mayfields (1 Mayfields Plot 1)	1
20/01505/FUL	58 Coly Anchor (1 Mayfields Plot 2)	1
Current position		172
16/04719/FUL	Proposed Residential Development Opposite School, Kinnerley, Shropshire	18
23/02248/FUL	Kinnerley PO & stores, barn conversions	3
24/01988/FUL	Cross Keys Inn flats	2
	Proposed windfall allowance (21 less 5)	16
		211

21. The number of dwellings in this table is based on our own record of the dwellings in Kinnerley village. It demonstrates that Shropshire Council proposes that Kinnerley village should increase in size from 2012 to 2038 by some 65%.

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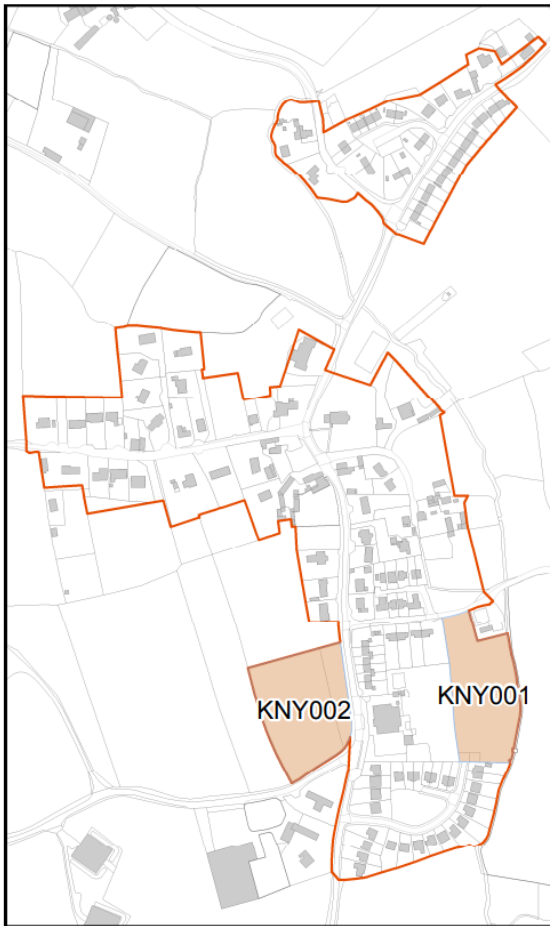
22. Our submission remains that that is neither evidenced as being proportionate nor a reflection of the policy of urban focus, and is therefore not justified, and hence unsound.
23. It is possible that in arriving at the guideline figure of 60 dwellings for Kinnerley, Shropshire Council has conflated Kinnerley Community Hub village (the relevant entity within this Draft Plan) with the whole of Kinnerley parish (the relevant entity at the time of SAMDev).
24. We therefore repeat our request for a Main Modification that the new residential guideline for Kinnerley as a Community Hub should be no more than 50 dwellings.

Further proposed Main Modification

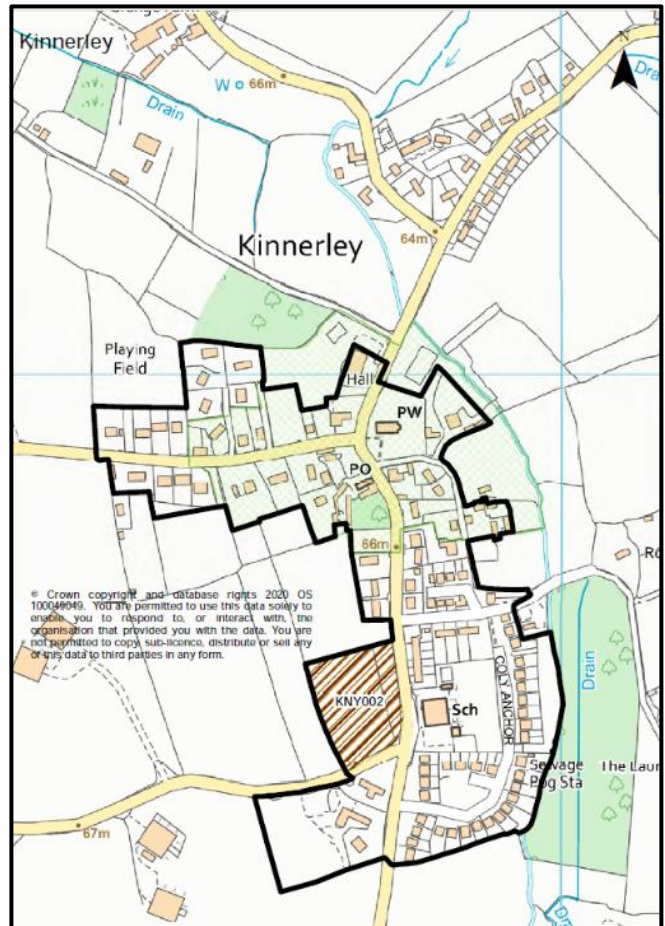
25. In further reviewing matters since our Regulation 19 submission in January 2021 we have noticed a discrepancy in the proposed development boundary for Kinnerley village.
26. The current SAMDev development boundary includes that part of Kinnerley Village containing the houses around St Idas and Mountside which are slightly separated from the main block of houses in Kinnerley Village. These houses are included in the tally of houses for Kinnerley Community Hub as listed in the above Tables 2 and 4.
27. However, this block of houses has not been included in the currently proposed development boundary. Because it does clearly form part of the built form of Kinnerley Village that is being designated as a Community Hub, we believe that it is has been omitted in error from this latest proposed development boundary. We therefore request that it should be included in the new development boundary, by way of a further Main Modification.
28. The existing SAMDev development boundary and the proposed new development boundary are shown for comparison as below:

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S14 Inset 6 Kinnerley



SAMDev development boundary



Currently proposed new development boundary