

Boughton Monchelsea Parish Council

Minutes of the Boughton Monchelsea Parish Council Planning & Licensing Committee meeting held on 6th January 2022 at 7pm in the parish office within Boughton Monchelsea village hall

Present: Cllrs D. Smith (Chair)
A. Humphryes
R. Martin
R. Garland
R. Roome
R. Edmans
Clerk

1. Apologies: Cllrs Date, Redfearn and Jessel
2. Notification of late items for the agenda : None
3. Declaration of Interests: None
4. Applications considered :

**21/505831 Chart Hill Paddock, Chart Hill Road, Staplehurst
Retrospective change of use of land to gypsy caravan site to extend existing site to accommodate stationing of 5 additional mobile homes, including laying of hardstanding, landscaping and erection of two day rooms (Alternative scheme to planning permission allowed on appeal APP/U2235/W/3209405)**

The Parish Council wish to see the application refused for the following planning reasons. If MBC are minded to approve it then the application should be reported to MBC's planning committee for decision.

- It should be noted that the appeal decision (APP/U2235/W/18/3209405) did not allow 5 additional mobile homes, rather 1 additional static caravan to give a total of 3 allowed at Chart Hill Paddock within the red line site plan dated 2015. Conditions attached to the appeal decision are clear about the total number of static caravans and mobile homes to be located at the site. A further requirement was for boundary treatment and means of enclosure, samples of hard surfacing, planting and a programme of works to be submitted within 3 months of the appeal decision. This condition has not been complied with or discharged
- The current application is for a different area than the appeal scheme and therefore cannot be considered an 'alternative scheme' to that allowed on appeal. In addition, the appeal scheme did not secure approval for the siting of 5 additional mobile homes therefore the use of the word 'alternative' is misleading as the appeal allowed for just one more caravan within the red line area of the 2015 application
- Satellite images of the site from 2018 and 2020 demonstrate that an additional area of hardstanding has been constructed to the east of the cluster of buildings along the southern boundary of the site. An additional mobile home has been sited on this new area further to the 2020 satellite image being taken. These works have been undertaken after the Inspector visited the site in 2019 (in relation to appeal ref APP/U2235/W/18/3209405)
- The current application site extends further east than the previous appeal site and no details of the proposed day rooms have been provided

- The current application seeks to develop an area larger than that considered by the Inspector at the previous appeal with more built form. The Inspector's findings should also apply to the current application with regard to adverse impact on landscape character and conformity with the relevant policies of the MBC Local Plan and the Government's Planning Policy for Traveller Sites (PPTS)
- MBC's website states that a 6.2 year supply of Gypsy and Traveller Pitches can be demonstrated as of 1st April 2021. On this basis there is therefore no current unmet need as sought by the current application
- Paragraph 25 of the PPTS states that '*Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local Planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.*' The NPPF requires the PPTS to be taken into consideration.
- The site is not an allocated Gypsy and Traveller site in the MBC Local Plan and therefore fails to be considered in accordance with adopted Policy DM15. Policy DM15 is a criteria based policy requiring sites to be sustainable, not result in significant harm to the rural character of an area, not be located in an area at risk of flooding and have assessed ecological impact by appropriate survey. The application fails to comply with this DM15 for the following reasons :
 - It is not possible for local services to be accessed from the site by foot, cycle or public transport. There is no footpath from the site to the main A229 to provide safe access to bus services and in any event Chart Hill Road is regularly used by HGVs accessing River Farm, making it dangerous for pedestrians and cyclists. There is no bus service to Chart Sutton or Sutton Valence for local shops or services
 - There has been no material change in circumstances for MBC to find against the appeal Inspector's formerly identified harms to the local landscape character
 - The southern boundary of the wider holding is located within a flood zone
 - The application has not provided any detail on ecological impacts
- The proposal is contrary to MBC Local Plan policies SS1, SP17 and DM3

In conclusion there is existing unauthorised development at the site which the current application does not seek to regularise. The application is not an 'alternative scheme' to that approved on appeal as it is for a larger site and proposes additional development in comparison to the appeal scheme. The appeal decision did not allow 5 new mobile homes at the site but sought to regularise the position within the red line associated with the application at that point in time and allowed 1 additional caravan. The allowed appeal was unequivocal in its rebuttal of the stationing of 5 caravans and their impact on the Low Weald Area of Landscape Character. The current application, by virtue of the increased site area and proposed location of the large static units and day rooms proposed will have even greater impact on the character of the local protected landscape and is therefore contrary to Policy SP17 of the MBC Local Plan. The application also fails to meet the criterial of Policy DM15.

**21/506445 Orchard Cottage, 67 Church Street, Boughton Monchelsea
Erection of a single storey extension together with the conversion
of the garage**

No objection / comment

**21/506652 Boughton Mount Farm, Cliff Hill, Boughton Monchelsea
Conversion of office building to form 1 no. dwellinghouse,
including erection of single storey front and rear extensions**

The Parish Council wish to see the application refused for the following planning reasons. If MBC are minded to approve it then the application should be reported to MBC's planning committee for decision.

- The location is in the open countryside and unsustainable
- The planning statement argues that the proposal is sustainable and well designed as it keeps most of what is there already , while adding modest extensions however the proposal does not seem to add any sustainable features which it cannot easily do without being a total demolition and rebuild, thus negating the idea of conversion under permitted development. The proposal does not comply with MBC Local Plan policy DM1
- Contrary to the planning statement, the proposal is not well designed, particularly in relation to its overall surroundings. Government is now heavily promoting good design in guidance and this must be relevant when assessing this full planning application. The proposed design quality of the conversion cannot possibly meet NPPF standards
- We cannot understand how this could possibly be market housing, stuck approximately 100m from the road at the end of a large farm yard with large warehouse buildings between it and the road. We question whether this is compliant with paragraph 130(f) of the NPPF which seeks to 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users'
- The planning statement states that the application is an amendment to a Prior Approval dated May 2019 . Prior Approvals are only able to take a limited set of issues into account and it does not appear that the delegated report considered siting and design of the conversion and whether this should be subject to separate approval
- The planning statement is inconsistent with the application form. The application form states there will be 1 x 1 bedroom market unit created. Paragraph 2.1 of the statement says it is a 1 bedroom unit while paragraph 4.1 says it is a 2 bedroom unit
- If the Prior Approval application were submitted today we question whether it would meet national minimum space standards and seek assurance that this was correctly assessed when Prior Approval was granted in 2019
- Paragraph 5.7 of the planning statement argues that it would not be an isolated home in the countryside as it is near other residential properties. If this is referring to the application for conversion of the Dutch barn into 3 units then this statement would only be true if that application were approved and implemented
- Section 11 of the application form is left blank so there is no indication of how surface water will be dealt with. Section 13 is marked 'unknown' so no indication of how foul water will be disposed of. Section 14 states that no arrangements have made for disposal of waste and recycling. This lack of information is indicative of a poorly thought through application
- The planning statement does not mention Boughton Monchelsea Neighbourhood Plan which is now a material planning consideration. The proposal fails to comply with the following policies :
 - Policy RH1 which states 'Applications for new development must demonstrate how they respond positively to the established local character, including rural character and topography...'
 - Policy RH6 which states that all housing development, whether conversions or new build or redevelopment must 'be of the highest visual quality appropriate to the area both in itself, and how it impacts on the setting'

**21/50698 Boughton Mount Farm, Cliff Hill, Boughton Monchelsea
Part demolition and conversion of an existing agricultural building
to form 3 no. dwellinghouses with associated access, parking and
amenity space**

The Parish Council wish to see the application refused for the following planning reasons. If MBC are minded to approve it then the application should be reported to MBC's planning committee for decision.

- The location is in the open countryside and unsustainable
- The planning statement argues that the proposal is sustainable and well designed as it keeps most of what is there already, while adding modest extensions however the proposal does not seem to add any sustainable features which it cannot easily do without being a total demolition and rebuild, thus negating the idea of conversion under permitted development. The proposal does not comply with MBC Local Plan policy DM1
- Contrary to the planning statement, the proposal is not well designed, particularly in relation to its overall surroundings. Government is now heavily promoting good design in guidance and this must be relevant when assessing this full planning application. The proposed design quality of the conversion cannot possibly meet NPPF standards
- We cannot understand how this could possibly be market housing, residents would need to drive round 3 sides of a large industrial building to gain access to the dwellings. We question whether this is compliant with paragraph 130(f) of the NPPF which seeks to 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users'
- The planning statement states that the application is an amendment to a Permitted Development application from 2019 in that it adds more amenity space and 2 parking spaces for each unit and replaces the corrugated iron cladding with composite cladding but otherwise remains the same. This permitted development application was approved in June 2019 so expires in June 2022 at which point it ceases to be relevant unless Permitted Development is sought again. So the current fallback position established by the Permitted Development is conversion of a corrugated iron shed with no parking spaces, accessed by going to the end of the farmyard and round the back of a large warehouse. The delegated report for the permitted development application does not appear to consider siting and design of the conversion and whether this should be subject to separate approval
- Section 13 of the application form is marked 'unknown' so there is no indication of how foul water will be disposed of. Section 14 states that no arrangements have made for disposal of waste and recycling. This lack of information is indicative of a poorly thought through application
- The planning statement does not mention Boughton Monchelsea Neighbourhood Plan which is now a material planning consideration. The proposal fails to comply with the following policies :
 - Policy RH1 which states 'Applications for new development must demonstrate how they respond positively to the established local character, including rural character and topography...'
 - Policy RH6 which states that all housing development, whether conversions or new build or redevelopment must 'be of the highest visual quality appropriate to the area both in itself, and how it impacts on the setting'

**21/506859 Beresford Cottage, 22 Church Street, Boughton Monchelsea
Demolition of detached garage and erection of part single, part two
storey side extension. Creation of new window and front door with
canopy (revised scheme 19/501891)**

No objection / comment.

5. Any other Business:

The clerk advised that the following planning application had been withdrawn by MBC due to it being invalid. The applicant has been asked to amend the drawing and resubmit.

**21/505300 Boughton Service Station, Heath Road, Boughton Monchelsea
Advertisement consent for 1 no. internally illuminated totem sign
(retrospective)**

6. Date of Next Meeting:

Tuesday 27th January 2022 at 7pm in the parish office.

Meeting closed at 7.40pm