

BOUGHTON MONCHELSEA PARISH COUNCIL

**Minutes of the Parish Council Meeting held at 7pm on 1st March 2022
in the main hall of Boughton Monchelsea village hall, pursuant to notice.**

Present:

Cllrs S. Munford
A. Humphryes
D. Smith
R. Martin
I. Ellis
B. Brown
R. Garland
H. Stevens
R. Edmans (until 9.20pm)
J. Skinner
R. Roome

Parish Clerk
KCC member, Cllr Lottie Parfitt-Reid
2 residents

1. **Apologies:** Apologies were received from Cllrs Date (family travel), Jessel (charity work), Redfearn (work), Wilde (work). The reasons for apology were accepted by members.

Apologies were also received from Maidstone Borough Councillor, Lewis McKenna

2. **Filming of meetings : Request for notification of whether any person intends to film, photograph or record any item**

None

3. **Notification of late items for inclusion on the agenda**

No late items

4. **Standing Order 61: To decide whether the public and press should be excluded from the meeting for any item.**

The following exempt items were agreed :

12 Clerk's report – planning enforcement investigations

18.1 Parish Meeting 17/5/22 - Parishioner of the year nominations

5. **Reports from PCSO / KCC Community Warden / KCC Councillors**

PCSO Pete Gardner was not present at the meeting. The clerk had compiled the crime report using information from the e-watch.co website. During January and February there were 2 reported crimes in south ward (theft from commercial premises, theft of house boat) and 1 crime in north ward (theft of batteries from electricity site).

The KCC Warden was not present at the meeting. A report had been received which is summarised below.

- Residents are advised not to employ cold callers looking for work. Kent Trading Standards have a list of vetted traders tschecked.kent.gov.uk If cold callers are threatening or intimidating or refuse to leave when asked this should be reported to Kent Police. Stock of 'no cold caller' stickers available if anyone would like one
- Residents who are worried about heating and electricity costs can contact 'The Green Doctors' at greendoctorsouth@groundwork.org.uk or 0800 2335255. This organisation has 15 years' experience in helping people stay well and warm at home
- Welfare visits and work with vulnerable people continues

6. County Councillor updates

Cllr Parfitt-Reid advised that KCC need to make savings of £2.2M and are currently consulting on proposed cuts to the bus service. The number 5 and 59 buses would be affected by the proposals. She added that the cost of a Kent Travel Saver pass had increased by £80 per year but plans to increase the cost for families on lower incomes had been shelved along with plans to cut the free Disabled Companion bus pass.

Cllr Parfitt-Reid advised that she would investigate potential outstanding S106 monies which may be available to spend in the parish.

The clerk advised that a resident had been in touch to express concern at inappropriate vehicles using Brishing Lane, causing bottlenecks at busy periods. The clerk added that this had been discussed at previous Highways meetings but no suitable solution had been found. Cutting hedges hard back was not an option as vehicles would be forced off the hard surfacing, causing degradation of the road edge and potential vehicle damage. Unsuitable for HGV signage had been erected several years ago but was neither effective nor enforceable. A lorry ban would prevent vehicles over 7.5T using the road but the narrowness of Brishing Lane means that transit van size vehicles have difficulty passing each other. It was agreed to add this to the Parish Council's Highway Improvement Plan as a high priority, for detailed discussion with officers at the next Highways meeting. **CLERK**

Cllr Edmans asked whether a date had been arranged for the flood seminar. Cllr Parfitt-Reid stated that there was no date yet.

7. Borough Councillor updates

Cllr Munford stated that any changes to the ward boundaries would come into effect in 2024. He added that Maidstone Borough Council would also be reviewing parish boundaries next year, again, effective from 2024. It was noted that parish boundaries were last reviewed in 2000.

Cllr Munford noted that Maidstone Borough Council's regulation 19 Local Plan review would be voted on at MBC meetings on 21st and 22nd March before being presented to the Inspector.

Cllr Munford advised that MBC's gypsy and traveller call for sites was open. All submitted sites would be assessed by the Borough Council.

8. Open Quarter :

Two members of the public were present at the meeting but had come to listen rather than bring up any specific queries or concerns.

Cllr Munford asked the residents whether they felt they were being kept informed of issues by the Parish Council. The residents felt they were.

9. Declarations of Interest in Items on the Agenda / Declaration of Changes to the Register of Interests / Requests for Dispensations :

As trustees, all members present (except Cllrs Skinner and Munford) were given dispensation to discuss and vote on any items relating to BMAT.

10. Matters outstanding from minutes (11th January 2022) not included in agenda:

18.1 : Queen's Platinum Jubilee : Following negotiations with Cllr Humphryes, Fernham Homes had agreed to purchase and install a Jubilee bench next to a new Oak sapling on the open space at the corner of Church Street and Heath Road.

11. Minutes of the meeting held on 11th January 2022. Agreement of and signature by Chairman of the Parish Council :

The minutes of the Parish Council meeting held on 11th January were agreed as correct. Proposed by Cllr Roome, seconded by Cllr Smith and agreed by all members.

12. Clerk's report

The contents of the clerk's report were noted. The clerk provided an update as follows :

- Still awaiting response from Crest Nicholson regarding outstanding landscaping works at Lyewood. Passed to MBC for further investigation
- Clerk and Cllr Munford will arrange meeting with new Helping Hands co-ordinator to find out more about the group's plans and to discuss how the Parish Council may be able to assist
- Fernham Homes have advised that hedge pruning works will soon be carried out to improve driver visibility at the Church Street / Heath Road junction
- The clerk advised that correspondence had been received from a resident regarding play areas in the village. The following response was agreed :
The Parish Council is responsible for the Church Street play area which was upgraded several years ago. There are several older items in the playground which will probably need replacing in the next few years and we have to maintain funds for this purpose as well as for general maintenance and repairs. The Parish Council has limited financial resources and there are no current plans to install additional play equipment or new play areas. If grant funding were available in the future then members would certainly consider this again. Although there are no formal play facilities at the Lyewood development there is a large semi-natural open space providing opportunity for children to run around and make their own play. There is also a play area

in the north ward of the parish, at Joywood. This is owned and managed by Maidstone Borough Council

- The clerk advised that the roof on the parish hut had been damaged in the recent storm. Repairs were being arranged

13. Finance

Payments since last meeting (incl VAT) :

Nat West	Bankline fee	27.65
Binnies UK Ltd	Reservoir consultants fees	2,460.00
Avaio	Microsoft Apps for Business – monthly fee	9.48
Coakley Cleaning	Dog bin emptying - December	130.00
Pluckley Coachworks	Reservoir weir panels	522.07
Parish Clerk	Clerk's January salary – paid by bank transfer	474.30
Parish Clerk	Clerk's expenses	53.33
HMRC	Tax and NI - January	414.27
Kent County Council	Stationery	22.73
A. Humphryes	Dog signs for Salts Wood (BMAT)	139.24
Scribe	Accounting software annual fee	561.60
Parish Clerk	Clerk's January salary – paid by SO	1,050.26
Avaio	Microsoft Apps for Business – monthly fee	9.48
Coakley Cleaning	Dog bin emptying - January	130.00
Village hall committee	Hall hire	68.40
Temple Knight	Printer cartridge	158.23
Sovereign Forestry	Accessible path works to Salts Wood (BMAT)	12,000
Nat West	Bankline fee	24.50

Receipts:

Maidstone Borough Council	S106 monies for Salts Wood accessible path and kissing gate & Walk Meadow wildflower meadow and pond	13,671.53
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Balances as at 21st February 2022 :

Current Account	154,836.45
Business Reserve	426.46
National Savings	307.95
Total Financial Assets	155,570.86

Note : Asterisked items indicate payments made prior to authorisation by the Council but certified as to correctness and urgency by the Chairman and Clerk.

13.1 Finance report - Agreement of payments made and income received since last meeting : The above financial statement was accepted. Proposed by Cllr Humphryes, seconded by Cllr Smith and agreed by all members.

13.2 Budget monitoring report : The budget monitoring report to 21/2/22 was included in the agenda papers. Cllr Humphryes proposed that the budget monitoring report be accepted. Seconded by Cllr Smith and agreed by all members.

14. **Correspondence:**

14.1 Boundary commission – review consultation :

Cllr Munford noted that he had held a meeting with both Boughton Monchelsea and Chart Sutton Parish Councillors to discuss the ward boundary review consultation. Members agreed that they wished Boughton Monchelsea to remain a single member ward. Cllrs Smith, Martin and Humphryes would respond to the consultation on behalf of the Parish Council.

CLLRS SMITH, MARTIN & HUMPHRYES

14.2 Resident – request for renovation of well on the green in commemoration of the Queen’s Platinum Jubilee :

The clerk advised that correspondence had been received from a resident suggesting that the well on the green be renovated in commemoration of the Queen’s Platinum Jubilee. Following discussion, Cllr Humphryes proposed that the well be renovated in its original style, with delegated powers to spend up to £5,000. Seconded by Cllr Smith and agreed by all members. Cllr Smith advised that he had a personal supply of ragstone he would be happy to donate to the project. Members thanked him for this offer. Cllr Humphryes noted that the renovation was unlikely to be complete in time for the Jubilee weekend but the work would be carried out this year and a plaque would be added commemorating the Jubilee.

CLLR HUMPHRYES

15. **Planning Report:**

The following applications had been considered by the Planning and Licensing Committee:

MBC notified :

6/1/22

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)

DECISION :

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 criterion of Policy DM15.

21/506445 Orchard Cottage, 67 Church Street, Boughton Monchelsea 6/1/22
Erection of a single storey extension together with the conversion of the garage

DECISION :
No objection / comment

21/506652 Boughton Mount Farm, Cliff Hill, Boughton Monchelsea 6/1/22
Conversion of office building to form 1 no. dwellinghouse, including erection of single storey front and rear extensions

DECISION :
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’

21/506698 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

6/1/22

DECISION :

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'

21/506589	<p>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)</p> <p>DECISION : No objection / comment</p>	6/1/22
21/506482	<p>The Barn, Heath Road, Boughton Monchelsea Conversion of garage into habitable space with erection of single storey rear extension, internal and external alterations including the creation of new side window and removal of brick-built chimney. Erection of detached double garage</p> <p>DECISION : No objection / comment</p>	25/1/22
21/506483	<p>The Barn, Heath Road, Boughton Monchelsea Listed building consent for internal and external alterations including the creation of new side window and removal of brick-built chimney.</p> <p>DECISION : No objection / comment</p>	25/1/22
21/506037	<p>Le Portel, Heath Road, Boughton Monchelsea</p>	25/1/22

Demolition of existing bungalow and detached garage, and erection of a two storey detached 5 bedroom dwelling

DECISION :

The Parish Council wish to comment on the application as follows :

MBC should assess the practicalities of the parking provision bearing in mind Heath Road is a busy main road. It appears that although parking for 3 vehicles has been provided these cars would not be able to turn round in the available space and would therefore need to reverse in or out of the driveway, creating a hazard for themselves and other motorists. The new property could be constructed further away from the road to allow adequate space for parking and turning.

If MBC are minded to approve the application the Parish Council would ask that conditions are included to cover the provision of :

- Renewable energy sources such as air or ground source heat pumps
- EV charging point
- Exclusively native planting within any landscape plan
- Provision of swift and bee bricks, bat and bird boxes
- Wildlife friendly boundaries
- Measures to exceed current building regulation standards in terms of energy efficiency

21/506862

Phase 1 Land south of Sutton Road, Langley

25/1/22

Approval of reserved matters (appearance, landscaping, layout and scale) for phase 1 of outline planning permission 15/509015/OUT for the erection of 173 residential dwellings (use class C3), (landscaping) for phase 1 infrastructure (site frontage, roundabout and main spine road); (appearance, landscaping, layout and scale) for the southern part of the eastern public open space for landscaping, SUDs ponds, hard landscaping, and levels

DECISION :

The Parish Council wish to comment on the application as follows :

We note that the Environment Agency do not comment on reserved matters applications therefore we seek assurance that MBC have the necessary technical expertise to satisfy themselves that the reserved matters details relating to drainage comply with original consent and will not cause flooding further downstream from the site. We also seek assurance that the capacity of the existing main sewerage plant can accommodate this development and if not, how will this be improved?

If MBC are minded to approve the application the Parish Council would ask that conditions are included to cover the provision of :

- Renewable energy sources such as air or ground source heat pumps

- EV charging points
- Exclusively native planting within any landscape plan
- Provision of swift and bee bricks, bat and bird boxes
- Wildlife friendly boundaries
- Measures to exceed current building regulation standards in terms of energy efficiency

22/500139 Lady Bessie's Cottage, Beresfords Hill, Boughton Monchelsea 25/1/22
Conversion of garage into storage area and habitable space, erection of two storey front extension and insertion of 2 no. side dormers and external alterations

DECISION :

The Parish Council wish to see the application approved

21/505015 River Farm, Chart Hill Road, Staplehurst 25/1/22

New waste treatment plant to replace and decommission 2 no. undersized existing plants (resubmission of 21/500721). REVISED DETAILS ONLY

DECISION :

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

We are supportive, in principle, of replacement of the waste treatment plant to a newer system however MBC should ensure that, in flood circumstances, there is no discharge of material / pollution into the nearby watercourse (SSSI River Beult). Water must also not be allowed to discharge across the road.

MBC should seek justification of the capacity of the new treatment plant which we assume has been sized for the 96 staff mentioned in the application.

KCC Highways and Southern Water have asked for several conditions if the application is to be approved. MBC should ensure these conditions are considered and incorporated.

22/500031 Unit 5, Maidstone Exchange, Cuxton Road, Maidstone 25/1/22

Insertion of 12 high-level vents on the south-west, north-west and north-east elevations of the existing Unit 5; installation of 10 external A/C units (caged) at the rear of Unit 5; and provision of two collapsible security bollards

DECISION :

The Parish Council wish to comment on the application as follows :

It appears that the position of the air conditioning units will adversely impact the private amenity of residential gardens adjacent to the site. Acoustic screening should be provided.

22/500119 Cliff House, Cliff Hill, Boughton Monchelsea 8/2/22

Retrospective application for the erection of 1 no. outbuilding to

house home gym with associated decking, patio and hot tub area

DECISION :

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 building is detrimental to the setting of the adjacent listed building
- The building is intended to be ancillary yet is unreasonably remote from the existing house
- The scale of the building is disproportionate and is highly visible from the surrounding countryside
- The building does not appear to be within the confines of the garden land of the existing house. The land it is sited on appears to have been purchased as agricultural land and we suggest the Borough Council checks this before deciding on the application to verify whether a change of use application is required
- BMAT own land immediately adjacent to the site (known as 'Walk Meadow') yet have not been consulted on this application
- The proposal is not within the Boughton Monchelsea village development boundary and it therefore fails to comply with NHP policies PWP4 and RH1
- The proposal fails to comply with NHP policy PWP5 in that it would prevent the continued use of this piece of land for countryside / agricultural purposes. Satellite imagery shows that this parcel of land (land registry ref K806797) has been used in the past for grazing sheep and it appears there has been no approved change of use from agricultural land to residential garden
- This large block of a building detracts from the open character of the area and therefore fails to comply with NHP policy PWP5

21/505780 48 Roman Way, Boughton Monchelsea 8/2/22
Change of use of land to residential garden and erection of boundary fence (retrospective)

DECISION :

No objection / comment

21/502103 Land north of Green Lane and east of Church Street, Boughton Monchelsea 8/2/22

Outline application with access matter sought for erection of 3 no. self build residential dwellings with associated landscaping , drainage and earthworks and creation of new access from Beresfords Hill / Church Lane. (Matters of appearance, landscaping, layout and scale are reserved for future consideration)

NOTIFICATION OF APPEAL

DECISION :

Appeal response agreed as follows :

The Parish Council wishes to reiterate its original objection to the application as follows:

- The proposal is contrary to policies SP11-1 and SP12 of MBC's Local Plan in that the site lies outside the designated settlement boundary
- The proposal fails to satisfy any of the requirements of policy SP17 paragraph 4.95 of MBC's Local Plan
- The proposal is contrary to policy SP17 of MBC's Local Plan in that this type of development is not supported by any other policy within the plan
- Highway safety is a concern – access to the site is via a bend on a narrow section of road

In addition to the above, the Boughton Monchelsea Neighbourhood Development Plan is now 'made' and is therefore a material planning consideration. The application fails to comply with the following policies contained within this plan :

- The proposal is not within the Boughton Monchelsea village development boundary and therefore fails to comply with NHP policies PWP4 and RH1
- The proposal would detract from the open character of the area and therefore fails to comply with NHP policy PWP5

22/500476 31 Lockham Farm Avenue, Boughton Monchelsea 28/2/22
Erection of a single storey rear extension and part conversion of existing garage with changes to fenestration

DECISION :

No objection / comment

22/500478 Boughton Service Station, Heath Road, Boughton Monchelsea 28/2/22
Retention of existing hand car wash facility and office / customer waiting room, and proposed alterations including the creation of a second wash bay and installation of acoustic screening (part retrospective)

DECISION :

- 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 planning committee for decision.
- We are extremely concerned at this visually intrusive, intensified business use of the site in the context of the adjacent conservation area and listed buildings
- MBC's Cock Street Conservation Area appraisal notes that the Civic Amenities Act of 1967 defines a conservation area as 'an area of architectural or historic interest the character and appearance of which it is desirable to preserve or enhance'. It goes on to say that 'Out of a total of 65 listed buildings in the

overall parish, 4 fall within the Cock Street Conservation Area'. The appraisal concludes that 'the main threats to preserving or enhancing the character come from a variety of internal and external sources...Perhaps most visible to the casual observer is the impact of the commercial and residential development on the fringes of the designated area, in essence the garage on Heath Road to the east....Further encroachment on the historic environment should be avoided'

- MBC's conservation area management plan notes the 'negative impact of the petrol station on the setting of the conservation area' and states 'As and when the opportunity arises, every effort should be made to reduce the visual impact of signage on this site, and/or secure a use that is more sympathetic to the setting of the conservation area'. The proposal for a visually intrusive car wash facility and office / waiting room conflicts with the stated aims of both the appraisal and management plan.
- The applicant's heritage statement mentions the conservation area but simply states that the petrol station is 'nearby', ignoring the references to negative impacts contained within the MBC documents. The statement concludes by stating that 'the car wash is out of site (sic) from the more sensitive features of the conservation area. It is therefore concluded that the proposals would not have a negative affect (sic) on the conservation area'. This heritage statement is clearly inadequate and in no way acknowledges the concerns highlighted in the conservation area appraisal and management plan.
- Due to its close proximity to the conservation area, we would expect MBC's conservation officer to be fully consulted on the proposal. We note that the officer has not commented on previous applications relating to this site.
- The applicant's planning statement notes 'The proposed screening is shown on drawings 2630/3 and 2630/4 and is both located to the side of car wash bay 1 and to the side of the existing workshop (towards the rear of the site). The proposed acoustic barrier is to be 2m high constructed of a material nominally > 5kg/m² and well-sealed to the ground at its base.' We understand acoustic barriers should have a minimum surface mass of 10kg/m² therefore the proposed screening is inadequate. Furthermore we request that the officer visits site to assess the noise levels at adjacent properties, at a time when the current car wash facility is operating at capacity

- The proposal includes an additional car wash bay, presumably encroaching into the undeveloped land to the east. Any assessment of current noise levels should take this second bay into account as noise levels would be significantly higher with two jet washes operating at the same time. It appears that there are other sources of noise pollution associated with the car wash facility, apart from the jet wash and this should be fully investigated by MBC. In addition, we have had reports of car radios blaring out loud music while vehicles are being washed
- Visibility is significantly impaired for drivers wishing to turn right out of the site after having their vehicles cleaned and we have witnessed car wash staff having to see vehicles out on to Heath Road. This is completely unacceptable and should have been fully considered as part of this planning application. The entry and exit points from the site, even for the petrol station, also need to be reviewed. Visibility is significantly impaired by the illuminated sign.
- There are now five businesses operating from the site – petrol station, car repairs, car wash, car sales and flower shop. Four of these were there previously but the introduction of the car wash has created significant safety hazards both on and off site, with additional traffic, cars parked up waiting to be cleaned and queueing out on to Heath Road. KCC should fully assess the impact on highway safety resulting from this proposal. Additionally, it should be noted that previous planning permission for the car wash was based on a site with no fuel sales
- We appreciate that the site has historical use as a petrol station, garage and shop however in years gone by this was aesthetically low key and in keeping with the semi-rural nature of the village. The incremental growth of the site, including the large illuminated sign, car wash bay and associated structures now has a very urban feel which is completely out of character with the adjacent conservation area
- Policy PWP3 of the Boughton Monchelsea NHP covers protection of non-designated heritage assets and states that ‘The protection extended by this policy extends to all oast houses within the Neighbourhood Plan area’. The proposed jet wash facility would negatively impact the setting of the adjacent oast house and therefore fails to comply with this policy
- Policy LRE1 of the Boughton Monchelsea NHP states that proposals will be supported where they are neighbourly in

terms of their visual, noise, smell and other impacts on adjoining uses. The proposed car wash facility does not comply with these requirements and is therefore not supported by the Parish Council

- The drainage details provided with the application are inadequate. Full information should be submitted, including reassurances that there will be no run-off or spray on to Heath Road
- It is unclear whether any additional signage or lighting will be required to facilitate the proposal. If so, this should be detailed. The Cock Street conservation area appraisal acknowledges the clutter of signs which detract from the buildings and open spaces that make up the conservation area and states that an approach to reduce such signage would be welcome. In terms of lighting, policy PWP 10 of the Boughton Monchelsea NHP states that lighting must be designed and managed to reduce light pollution and any harmful visual impact on neighbouring activities and the character of the area.

The following applications have been APPROVED by MBC:

- 21/506457 Eel House Farm, Boughton Bottom Farm, Lower Farm Road, Boughton Monchelsea
Prior notification for the change of use of 1 no. agricultural building to 1 no. dwelling and associated operation development
- 21/506589 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/FULL)
- 21/506445 67 Church Street, Boughton Monchelsea
Erection of a single storey extension together with the conversion of the garage
- 21/506333 Peugeot Car Showroom, Maidstone Exchange, Cuxton Road, Maidstone
Advertisement consent for 2 no. internally illuminated fascia signs and 2 no. internally illuminated pylon signs
- 21/506066 Land south of Sutton Road, Langley
Erection of a substation within existing approved development at land south of Sutton Road
- 21/505999 Wierton Grange Cottage, Back Lane, Boughton Monchelsea
Proposed loft conversion including erection of an L-shaped rear dormer and installation of roof lights
- 21/505469 Honeymellow Barn, Bottlescrew Hill, Boughton Monchelsea
Listed building consent for erection of a single storey rear extension with green roof and conversion of garage to gym and utility, including replacement of kitchen door with timber window, and replacement of garage uPVC windows with white timber windows
- 21/505468 Honeymellow Barn, Bottlescrew Hill, Boughton Monchelsea

Erection of a single storey rear extension with green roof and conversion of garage to gym and utility, including replacement of kitchen door with timber window, and replacement of garage uPVC windows with white timber windows

- 21/504569 Rosewood (Phase 3) land south of Sutton Road, Langley
Reserved matters (appearance, landscaping, layout and scale) for Phase 3 of outline planning permission 15/509015/OUT for the erection of 170 residential dwellings (use class C3) with associated landscaping, public realm, car parking and infrastructure. In addition to approving details for Condition 4 (landscaping scheme) and Condition 30 (renewable energy)

The following applications have been REFUSED by MBC:

- 21/506270 The Old Farmhouse, The Green, Boughton Monchelsea
Listed building consent for demolition of a 20th Century lean to conservatory and erection of a single storey rear extension
- 21/506269 The Old Farmhouse, The Green, Boughton Monchelsea
Demolition of a 20th Century lean to conservatory and erection of a single storey rear extension
- 21/506044 8 Haste Hill Close, Boughton Monchelsea
Construction of first floor side and rear extensions

The following applications have been notified as WITHDRAWN :

None

The following APPEALS have been notified:

- 21/502013 Land north of Green Lane and east of Church Street, Boughton Monchelsea
Outline application with access matter sought for erection of 3 no. self build residential dwellings with associated landscaping , drainage and earthworks and creation of new access from Beresfords Hill / Church Lane. (Matters of appearance, landscaping, layout and scale are reserved for future consideration)

The following APPEAL DECISIONS have been notified:

None

The following APPEALS have been notified as WITHDRAWN:

None

- 15.1 Cllr Smith gave an overview of recent planning application responses and MBC decisions.

It was noted that Cllr Roome had kindly offered to research past planning appeal decisions, for future reference by members of the planning committee.

16. Representatives' Reports:

- 16.1 KALC: Cllr Date was not present at the meeting. Discussion took place regarding the Parish Council's continued membership of KALC. It was agreed to defer a

decision on this until the next meeting, to allow time for Cllr Ellis to research the public works loan board application process. **CLLR ELLIS**

16.2 Allotments : Cllr Martin had nothing to report. The clerk advised that the Langley Park allotments should be ready to let out in April and that she would meet new tenants on site one Saturday morning to allocate the plots. **CLERK**

16.3 Village Hall & Recreation Ground :

Cllr Edmans advised that the current village hall committee wish to relinquish their roles and hand back management of the hall to the Parish Council. He added that he would be meeting with the committee and Cllrs Smith, Ellis and Humphryes during week commencing 7th March. Following lengthy discussion it was agreed that the village hall committee should be asked to call an AGM, with the purpose of agreeing a new committee, with the Parish Council managing things in the interim. In view of the planned hall refurbishment project, Cllr Smith noted the importance of getting the right team together. It was agreed that the Parish Council would publicise the AGM once a date had been set.

CLERK / CLLRS EDMANS, ELLIS, SMITH & HUMPHRYES

16.4 Neighbourhood Watch : Cllr Stevens advised that the NHW group has nearly 1000 members

16.5 Police Liaison : Cllr Date was not present at the meeting.

16.6 Bus group : Cllr Redfearn was not present at the meeting.

16.7 Climate change and biodiversity : Cllr Jessel was not present at the meeting.

17. Decision items :

17.1 Draft lease between BMAT and the Parish Council, relating to various parcels of land within the parish of Boughton Monchelsea :

Cllr Munford noted that the clerk had included queries and responses to the draft lease in members' agenda papers. Outstanding issues to be agreed were the length of the lease and wording of section 3.1.2. Cllr Munford proposed removing the specific reference to Friends of BMAT, stating that the term 'residents groups' covered all parish groups including Friends of BMAT, Boughton Monchelsea Scout Group etc. Lengthy discussion followed. Cllr Brown amended Cllr Munford's motion by proposing that the wording of section 3.1.2 be adjusted to read :

The right to hold regular discussions with the Tenant relating to the permitted uses of the land which shall include inter alia the Friends of BMAT and other residents' groups.

Cllr Smith seconded Cllr Brown's proposal and a vote was taken with 10 for and 1 against. The amended wording was therefore agreed. Cllr Ellis to inform Gill Turner Tucker accordingly. **CLLR ELLIS**

Cllr Munford noted that the Parish Council had agreed a £30K grant to BMAT for the next financial year. He added that if the parish boundary were to change in 2024 after the boundary review then the Parish Council could potentially lose approximately 50% of its precept. Cllr Ellis advised that the draft lease contained a

break clause every 10 years. Cllr Munford proposed that a break clause be included after the first 2 years, then every 10 years thereafter. Cllr Ellis suggested that the Parish Council would remain responsible for the land, break clause or not. Cllr Edmans expressed thanks to Cllr Ellis for all his work on this matter.

Cllr Ellis amended Cllr Munford's motion by proposing that the draft agreement remain as it is, ie a 50 year lease with break clauses every 10 years. Seconded by Cllr Martin. A vote was taken with 10 for and 1 abstention. Cllr Ellis' proposal was therefore agreed. Cllr Ellis to inform Gill Turner Tucker accordingly. **CLLR ELLIS**

It was agreed to bring forward item 17.6

17.6 Conservation area signage – agree whether to proceed based on Cllr Edmans' report :

Cllr Edmans had produced a report with a recommendation to install 5 no. 'Boughton Monchelsea conservation area' signs, mounted on oak posts and to be located in the conservation areas at The Green and The Quarries. Total cost including installation would be £1,850.

Following discussion, Cllr Edmans proposed that the Parish Council proceed with purchase and installation of the above signage. Seconded by Cllr Humphryes and agreed by all members. It was agreed that Cllr Edmans be given delegated powers to agree final sign locations. **CLLR EDMANS**

Cllr Edmans left the meeting at this point (9.20pm)

17.2 Draft supplemental trust deed – Boughton Monchelsea village hall and recreation ground fund :

Cllr Martin suggested the following revised wording to clause 15 :

15. FAILURE OF TRUST

In the event of a dissolution of the Trust any assets remaining after the satisfaction of all of its debts and liabilities shall be paid to the Trustee but to be used for similar purposes and objects solely for the benefit of residents of the Parish of Boughton Monchelsea

Cllr Ellis proposed that the above revised wording be agreed. Seconded by Cllr Martin and agreed by all members.

POST MEETING NOTE :

Following advice from Gill Turner Tucker it was subsequently agreed to keep the original wording of clause 15.

17.3 Furfield Park open space – decide whether to proceed with installation of kissing gates / stiles at entrance points to open space :

Cllr Humphryes had produced a plan showing proposed gate / kissing gate / stile locations with the aim of preventing motorbike access into the public open space. Quotes had been obtained. Following discussion, Cllr Humphryes proposed installing a 5 bar gate and kissing gate on Brishing Lane and a kissing gate on

Brishing Road. This would be a first step in addressing the problem, with monitoring and review of motorbike nuisance prior to installing any further gates or stiles. Seconded by Cllr Smith and agreed by all members, with a maximum agreed spend of £3,000.

Cllr Skinner suggesting installing metal gates but it was agreed to install timber with consideration of metal in the future, should vandalism become an issue.

Clerk to contact contractor for revised quote.

CLERK

17.4 Heath Road fixed vehicle activated signs – decide whether to proceed with purchase and installation of signs :

The clerk explained that Kent Highways had advised that fixed speed indicator signs would be preferable to moveable Speed Indicator Devices (SIDs) and that KCC had agreed to carry out further speed surveys, as a first step. Surveys were now complete, with data revealing a high proportion of traffic exceeding the 30mph limit. Awaiting further advice from KCC on suitability of fixed signage.

Following discussion, Cllr Munford proposed that, subject to KCC approval of sign design and locations, the Parish Council fund two fixed speed indicator signs on Heath Road. Maximum total cost £17,000. Seconded by Cllr Smith and agreed by all members.

CLERK

The clerk noted that the approved 22/23 budget allows £7,000 for SIDs and £2,000 for other highway projects. It was agreed that this should be amalgamated and amended to show £17,000 for fixed speed indicator signs, with the additional £8,000 moved from reserves.

CLERK

17.5 Repair fund – agree whether to set up fund for cyclical repairs throughout the parish. If agreed, decide scope and initial sum to be set aside for this purpose :

Following discussion Cllr Ellis proposed that the Parish Council's total underspend from 2021/22 be used to start off a cyclical repair fund, to be used for any cyclical repairs across the parish, eg the Church St play area. Seconded by Cllr Humphryes and agreed by all members. It was agreed that these funds should be transferred to the reserve account after the end of each financial year, until required.

CLERK

17.6 Conservation area signage – agree whether to proceed based on Cllr Edmans' report :
Covered above.

18. Update / discussion items :

18.1 Parish Meeting 17/5/22 – preliminary meeting details :

Following discussion it was agreed that the Kent Wildlife Trust should be asked to do a short presentation on re-wilding in Boughton Monchelsea at the start of the Parish Meeting. This would be followed by the usual speeches from parish organisations. This format was agreed.

CLLR JESSEL

Clerk to make usual catering arrangements.

CLERK

18.2 Parish signage – report by Cllr Roome :

The contents of the report were noted. Cllr Munford thanked Cllr Roome for preparing these guidelines which would be referred to by the Parish Council in the future, as required.

18.3 Meetings for new residents – consider whether the Parish Council should arrange reception meetings for new residents to introduce them to the community and its facilities :

Cllr Smith suggested a leaflet to new residents, Cllr Skinner suggested an information pack. Following discussion, it was agreed that Cllr Ellis would organise a new residents event at Langley Park, assisted by Cllrs Martin and Stevens.

CLLRS ELLIS, MARTIN & STEVENS

19. Health & Safety Issues:

Nothing to discuss.

20. Deferred Items Schedule:

Nothing to discuss.

21. Any other business. (Non decision items only):

None

22. Date of Next Meeting:

The next full Parish Council meeting is due to be held on Tuesday 3rd May 2022 at 7pm in the main hall of the village hall.

There being no further business the meeting closed at 10.20pm

MINUTE 18 (Parish Council meeting 1st March 2022)

SCHEDULE OF DEFERRED ITEMS CARRIED FORWARD FROM PARISH COUNCIL MEETINGS:

DATE :	ITEM:	ISSUE / ACTION:	POSITION AS OF PARISH COUNCIL MEETING 1st March 2022
16.1.07	Furfield Quarry	Methane monitoring	BMAT issue. Last meeting between BMAT / MBC and Skinner Trust took place on 8/7/20. Clerk asked MBC if any further Merebrook reports available but none since last meeting. As requested by BMAT trustees, contacted Skinner Trust directly for copies of latest reports (14.9.21). Report dated January 2021 received and forwarded to relevant BMAT trustees. Queries on report submitted to Merebrook November 2021. No response received however Skinner Trust advise of delay due to an imminent change to the person acting as custodian Trustee. (11.1.22)
2.7.19	59 Linton Road	Encroachment	BMAT issue. Review July 2022
3.9.19	11 Harling Close	Encroachment	BMAT issue. Review September 2022
3.9.19	Clerk's salary	Review	Review clerk's salary on an annual basis. Next review due September 2022
3.3.20	Furfield Quarry	Option agreement	BMAT issue. Option expires in September 2024. Review before March 2024
18.5.21	Piper / Thirkell land	Lease	Lease expires on 6 th January 2116. Review in 2115
14.9.21	Langley Park	Parking on double yellow lines	MBC advise no action can be taken to address parking on double yellow lines until road has been adopted.