

SHIPBOURNE PARISH COUNCIL

MEETING HELD AT THE VILLAGE HALL ON MONDAY 11TH DECEMBER 2006 AT 7.30 PM

Present: Mr Mark Beadle, Mrs Libby Cohen, Mr Nicholas Giles, Mr Martin Miles (Chairman), Mr James Sheldrick, Mrs Rachel Simpson, Mr Curtis Galbraith (Clerk)

In Attendance: Mr David Evans (TMBC Borough Councillor). Messrs. Aubrey Beach, Stephen Davis and John Foster-Powell (members of the public).

1. Apologies for Absence

Miss Lynette Sargent and Mmes. Sue Murray and Joan Harrison (TMBC)

2. Minutes of Previous Meeting

The draft minutes of the November meeting were agreed by the council and signed by the Chairman.

3. Borough & County Councillors Reports

Cllr. Evans reported that as a member of the Joint Transportation Committee he understood that the Shipbourne speed restriction scheme had been delayed due to AONB signage issues. Further news was awaited.

He spoke for all three local borough councillors by reminding parish councillors of their responsibilities and accountability. Particularly in planning issues, councillors should be aware of current Standards Board requirements and should seek expert advice as and when required and ask (the Borough) if in doubt. He gave several examples of difficulties outside of the parish. Technical queries should be satisfied before views were formed even if this meant approaching the Borough for time extensions. This was cautionary advice not a lecture. Councillors in reply thought that Shipbourne Parish Council did conduct its affairs within its code of conduct and did generally seek advice or queried issues with the Borough when necessary.

Cllr Evans reminded correspondents to copy any letters re planning issues to the officer concerned at TMBC as well as to the parish council and local representatives.

4. Questions from the Public

Mr Beach said he was concerned that the posts recently installed in the verge outside Churchgate Cottages presented a safety hazard by obstructing the vision of motorists exiting Church Approach. *Cllr. Sheldrick declared a personal interest by connection of employment and did not speak.* In reply the Clerk said that the Fairlawne Estate had, as previously minuted, advised the council that the work would take place and that the council had previously had no comment. It was agreed to write to the Estate and ask them to investigate the problem and perhaps revisit the issue from a safety angle. Cllr. Evans suggested that in addition, Kent Highways should be contacted. Cllr. Simpson commented that there were still other unresolved issues regarding fencing of the Common of which the council seemed powerless to do anything apart from write letters.

5. Matters Arising

None.

6. Finance

The Clerk handed out copies of the monthly financial statement. The bank balances at 1st December were c/a £13.18, d/a £ 12989.75

He also made available to Cllr. Beadle the details required to enable him to answer the Audit Commission's balance query previously minuted.

TMBC had requested further information in the application for a Special Works Grant. Cllrs. Simpson and Beadle had compiled further justification which had been emailed to the Borough in reply. *Cllr. Sheldrick declared a personal interest in this item by connection of employment.*

The website local business *Directory* page had seven advertisements booked. Applications from two other businesses were considered. A Tunbridge Wells based organic box scheme that delivered locally was considered suitable but a Maidstone based French language material company was considered unsuitable as out of area.

Cllr. Giles said he written to the Charities Commission requesting the winding up of the John Swan Charity and informing that the small balance would be paid to the administrators of Lady Vane.

It was agreed to make two payments: To Mr. S Gould, £ 920.00 (Churchyard and Dunks Green mowing to date) (100272). Open Spaces Society (subscription) £ 30.00 (100273).

The 2007 Precept Application had just been received. It was hoped that the Finance Sub-Committee could deal with this over the Christmas holiday.

7. Roads / A227

The Clerk reported that a recent email (1/12) from Simon Allsopp of Kent Highways informed that the order for the speed limit signs and road markings had been placed aiming for January or early February programme of works. Kent Downs AONB through its consultant Halcrow had suggested a design that removed all lines and signs and was reliant on the change of environment to influence speed. Unfortunately, it failed to take into account that signs are mandatory for speed limits. Also the cost of £86k was prohibitive and it would have meant that the consultation process would begin again. The 'High Friction' surfacing proposed has been put on hold due to Traffic Management requirements. In consideration of Cllr. Evans' report in 3.1 it was agreed to contact Mr. Allsopp to confirm the current position.

Cllr. Evans suggested that Mr Steve Humphrey, The Director of Planning and Transportation at TMBC should be lobbied in order to address the dangerous and unlawful parking still occurring at the junction of Upper Green Road and the A227. It was a matter of 'resources' and funding.

8. Commons

The Chairman was in the process of writing to The Fairlawne Estate to suggest a meeting regarding parking issues. *Cllr. Sheldrick declared a personal interest in this item by connection of employment.*

9. Planning – decisions, applications, enforcement and other issues

a) Tonbridge & Malling Borough Council decisions:

1. TM/06/03242/FL East House, Hildenborough Road, Shipbourne, TN11 9QA
 Proposal: *Replace existing garage with single storey annexe extension to existing dwelling and provide new detached garage.*
 TMBC Decision: *Permission Granted with Conditions*

2. TM/06/03119/FL Craft Cottage, Upper Green Road, Shipbourne, TN11 9PG
 Proposal: *Conservatory to side of dwelling and rear boiler room extension.*
 TMBC Decision: *Permission Granted with Conditions*

The Clerk read out both TMBC decision notices. It was noted, and confirmed by Cllr. Evans that the date for commencement of a project had reduced from five years to three.

b) Planning Applications:

In order of receipt. Declarations of interest as individually noted.

1. TM/06/03423/FL Barrwood, Hildenborough Road, Shipbourne, TN11 9QA
 Proposal: *Rebuild existing dwellinghouse (amended scheme to that approved under planning refs. TM/06/00255/FL and TM/06/02136/FL) Two letters of support have been received, one of objection:*

View: (previously submitted in November) "The parish council considers the above application to be a new application as per the Planning Form 1.3 and the applicants' letter submitted rather than an amended scheme to any existing permission.

By a majority it objects to the application for the following reasons:

The application site lies within the Metropolitan Green Belt, a Special Landscape Area and impacts upon the Area of Outstanding Natural Beauty. The council considers that the increase in volume, scale, mass form and height over the original is inappropriate and unacceptable (Policy P4/11), (particularly when the scale of and the number of outbuildings proposed within the domestic curtilage is also taken into consideration), and will lead to an overdevelopment of the site.

With regard to the supporting letter supplied to the parish council by the applicants and a neighbour's letter of objection, there are conflicting views. The council requests that the floor areas, volume and heights are measured by TMBC for consideration and comparison.

No landscaping proposal has been included. Suitable tree protection measures should be put in place. If the application results in a grant of permission, the landscaping proposal should be prepared and approved before any building works commence in order to safeguard the quality of the local environment and the privacy of the neighbours. (Policy P4/11)

The council is unsure from the plans of the exact area of the application in regard to domestic curtilage and other land in the applicants' ownership and whether the pond forms part of the garden.

(Cllr. Beadle's interest in this item did not need to be declared as the view is a matter of record having been submitted previously).

2. TM/06/03299/FL Wagoners, Back Lane Shipbourne, TN11 9PP

Proposal: Use of barn and land as a training and residential establishment for the training of tree surgeons, including accommodation, ancillary offices and storage of equipment

View: (previously submitted in November) "View: "By a majority, Shipbourne Parish Council has no objection to this application. However it requests that the following points are determined prior to the granting of any permission:

1. That, as a condition, the residential permission is limited to a maximum (of four) trainees attending courses and should specifically exclude any residential use by the owner and / or any persons employed by him either directly or on a freelance basis. At no time should the building be used for any non-commercial, i.e. domestic, purposes.

2. That the existing conditions subject of planning permission TM/04/00493 are maintained (excepting those subject to the above application) and that TMBC satisfies itself in that the new application by Kingswood Training Services does not contradict the above permission condition 13 where the permission enures solely for the applicant's other business - Kingswood Tree Services. In addition the council has concern that TMBC should safeguard any permission against the outcome of the business(es) leaving site or ceasing to trade.

3. The parish council also wishes to inform TMBC that the letter sent by its Senior Enforcement Officer dated 11th September 2006 which followed a complaint is (and by the applicant's own admission) in error. As previously indicated, the existing asbestos clad barn which should have been removed under condition 4 of the above permission is still in situ. This barn should be removed immediately to rectify the ongoing breach of permission and this matter should be dealt with before determining the new application".

3. TM/06/03758/FL Alverstone, 2 New Cottages, Upper Green Road, TN11 9PN

Proposal: Provision of 2 dormers to first floor rear elevation and general alterations.

View: (Due to a missing representation from a neighbour it was agreed to defer the view. The Clerk will contact the officer at TMBC to obtain an extension).

4. TM/06/03121/LB 3 Church Gate Cottages, Stumble Hill, Shipbourne, TN11 9PF

Proposal: Listed Building Application – Two storey extension.

View: (View to be submitted. Cllr. Simpson wished to see the previous (identical) application, a copy of which was in circulation).

5. TM/06/03542/EL Tinley Lodge, Hildenborough Road, Shipbourne, TN11 9QB

Proposal: Change of use and conversion of redundant agricultural buildings to holiday let use and car port.

View: To be submitted.

Four letters of objection had been received from neighbours. As a close neighbour to the application site the Clerk had requested to be removed from the administration of this application and left the meeting. Cllr. Beadle had sought advice on interest matters from KAPC and also from the Chief Solicitor of TMBC. He confirmed that it was best practice for the Clerk to absent himself. It was also considered that Cllr. Sheldrick had a prejudicial interest and he too left the meeting. Cllr. Simpson made it clear that she was employed by the Regional Tourist Board.

c) Enforcement and other planning issues:

The Meadows, Hildenborough Road. The Planning Inspectorate appeal decision is still awaited.

Puttenden Manor, Puttenden Road. TMBC will be contacted to obtain an up to date report on what action is being taken to enforce the ongoing breach of planning permission.

10. Rights of Way

None.

11. Village Hall

With regard to the need to secure appropriate funding for the Village Hall, Mr Alan Bristow had written to say he could meet with the Finance Sub Committee at any reasonable time.

12. Correspondence (not circulated or dealt with elsewhere)

The Clerk provided Cllr. Giles with details of recent correspondence with Mr Ron Williams in order for him to action a reply to the letter recently received.

13. Any Other Business

The Clerk said that due to pressure of other work he will begin the Risk Assessments as soon as possible, probably in the New Year. He had recently chased the mowing contractor of the churchyard for copies of his insurances.

Mr Stephen Davis had expressed an interest in becoming a parish councillor. The Clerk asked Mr Davis if, in due course, he could let the council know of his intentions.

The Clerk had spoken to Arthur Greer who has agreed to repair the bus shelter with an alternative style of wooden boarding which is more available.

It was suggested that the council's IT contact, Gary Davies, should be asked to provide an additional email address for the parish council – independent of 'clerk@shipbourne.com' – that could be used by other members of the council. Cllr. Simpson agreed to implement this. Cllr. Evans suggested that the principle of individual members communicating with the Borough should be checked with TMBC first.

Following an email circulated by Cllr. Simpson the council revisited the role of the Planning Sub-Committee. Cllr Beadle thought that its role was to identify material planning issues in an application and then whilst each councillor would still have an opinion and a group judgement could be formed, the material put forward by the sub committee should not be challenged just as he would not expect the accuracy of the Financial Sub-Committee's results to be questioned. Cllr. Simpson said that its prime role was to advise the council prior to a meeting but strongly felt that any decisions made at a meeting, by a majority or otherwise, should not be changed by email lobby after that meeting. It was agreed that the sub-committee should a) identify and comment on material planning issues and b) if necessary after a meeting focus the views to enable the Clerk to submit a response. Cllr Cohen said that (unless other Councillors had no view or ceded it to the sub-committee) any planning decision should be a democratic one and any decision should be based on a majority view.

The members of the public along with Cllr. Beadle then left the meeting (21.50) and its remainder was carried out in private session.

The meeting closed at 22.20.

Signed: _____ (Chairman)

Dated: _____

Dates of future meetings: January 8th, February 12th, March 12th and April 9th (all Mondays at 7.30pm in the Village Hall).