

**SHIPBOURNE PARISH COUNCIL**

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

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

**1. Apologies for Absence**

None.

**2. Minutes of Previous Meeting**

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

**3. Borough & County Councillors Reports**

No borough councillors were present.

**4. Questions from the Public**

None.

**5. Matters Arising**

None.

**6. Finance**

The bank balances at 1st September were c/a £13.18, d/a £ 10752.59.

The second instalment of the Precept of £1214.00 has just been received.

Mr Ken Abraham, the appointed Internal Auditor, has completed the internal audit and presented his report. The Clerk circulated copies to councillors. He was satisfied that the council's affairs were in good order but suggested for the future that: Cheque numbers are minuted in addition to payee and amount. Cheque stubs always carry both signatories' initials and the accounts should be produced using 'receipts and payments' method. All other internal audit tests, over 30 separate items, were satisfactory and he raised no other issues for the council to consider. His invoice in the sum of £ 44.00 had been received.

The council agreed and accepted the accounts as section 1 'Statement of Accounts' and approved section 2 'Statement of Assurance' of the 2006 Annual Return. These were duly signed by the Chairman and the Clerk as RFO. The Annual Return will now be forwarded to the Audit Commission for the External Audit.

A letter received from TMBC outlined the procedure for application for a Special Works Grant. Subject to various approvals it was considered that the proposed surfacing of the lay-by could justify such an application. Rachel commented that her knowledge of a similar situation elsewhere and a recent change in legislation affecting Commons suggested that

the council should seek advice of the legal position of such work. The council still awaited a response from Fairlawne and it would also be necessary to carry out a risk assessment of the proposal. It was agreed that, in any case, an application could be made before the October deadline whilst awaiting the approvals mentioned. Rachel and Nick agreed to try and ascertain what the new legislation was and to identify a firm of solicitors who could perhaps offer specialist advice.

Nick Giles will contact Fairlawne to progress his queries regarding the John Swan Charity.

The Clerk requested that the following payments be made and this was agreed. Cheques were raised for Mr Ken Abrahams £44.00 (100266), Settpoint (balance) £ 250.00 (100267) and CPRE £26.00 (100268).

Libby Cohen suggested that a laptop computer could be purchased to assist the Clerk at meetings. Such a purchase could also ensure that parish council information was kept available should the Clerk leave his position. The Clerk agreed to consider this and reassured the council that all computerised parish council records and letters were archived and regular back ups taken. All information would be readily transferable.

## **7. Roads / A227**

Following dialogue between the council, Kent Downs AONB and Kent Highways a further set of plans for the '50/40/50' scheme has been received. James Sheldrick and the Clerk will again check these. It is hoped that some of the council's and KD AONB's comments regarding overuse and positioning of signage and coloured tarmac have been incorporated into the new plans. The Clerk will write to Tim Owen of Kent Downs asking for a proposal to incorporate signs marking Shipbourne's AONB into the Shipbourne road scheme.

A letter recently received from Kent Highways entitled 'Circular Roads 1/2006 – Setting Local Speed Limits' advised that this document was issued by the Department of Transport as guidance for setting speed limits nationwide. Following consultation, Kent expected members to agree a way forward in 2007 and until that time no new speed limit applications would be progressed. The Clerk was asked to write to the Transport Management Department to underline and confirm that Shipbourne's scheme had already been implemented and would not be delayed.

It was agreed that parking around The Chaser during fine weather and particularly at week-ends was again a cause of serious concern. It was noted that on at least two recent occasions cars had been illegally parked on the yellow lines on both sides of Upper Green Road, on the footway of the A227 opposite the public house and outside the premises itself on the grassed area immediately adjacent to the carriageway. This presented real safety issues and restricted lines of vision on the junction for pedestrians and motorists. The council will seek further assistance from Chief Inspector Martin Very, the District Chief Inspector responsible for Tonbridge and Malling Community Policing. Councillors also emphasised that any member of the public who witnessed such dangerous parking should report the matter to West Kent Police direct on 01732 771055.

## **9. Commons**

As noted in item 6. there has been no response from Fairlawne to the council's letters regarding the lay-by. The Clerk will progress.

The parish council has received a letter from Fairlawne indicating that because of the increase in cars parking in the vicinity of the Church and The Chaser it proposed to install additional wooden posts to the verge of 1 Churchgate Cottages. The council had no comment to make on this proposal. *James Sheldrick declared a personal interest in these items by connection of employment.*

## **10. Planning – decisions, applications, enforcement and other issues**

### a) Tonbridge & Malling Borough Council decisions:

1. TM/06/01727/FL 14 Upper Green Lane, Shipbourne, TN11 9PW

Proposal: *Two storey side and single storey rear extensions*

Decision: *Permission Granted subject to conditions*

2. TM/06/00934/FL The Stables, Back Lane, TN11 9PP

Proposal: *Extension to utility room and enlargement and replacement of garage doors.*

Decision: *Permission Granted subject to conditions*

3. TM/06/02098/RD Barrwood, Hildenborough Road, Shipbourne, TN11 9QA

Proposal: *Details of materials submitted pursuant to condition 2 of planning permission ref. TM/06/00255/FL. being Hanson Hathaway Brindled*

Decision: *Approved*

4. TM/06/02136/FL Barrwood, Hildenborough Road, Shipbourne, TN11 9QA

Proposal: *Formation of a cellar wholly underground.*

Decision: *Permission Granted subject to conditions*

5. TM/06/02256/FL 3 Church Gate Cottages, Stumble Hill, Shipbourne, TN11 9PF

Proposal: *Variation of condition 1 of planning permission ref. TM/01/01043/FL (internal alterations, two storey extension to rear and minor works to front door / porch to extend the time period within which works can commence by a further 3 years.*

Decision: *Permission Granted subject to conditions*

6. TM/06/01619/FL 1 Hoad Hill Cottages, Tonbridge Road, TN11 9PA

Proposal: *Variation of condition to planning permission TM/03/01037/FL to enable the annexe to be occupied for a maximum of 140 days each year between 1st April to 30th October for holiday lets.*

Decision: *Permission Granted subject to conditions*

### b) Planning Applications:

*Mark Beadle declared a personal and prejudicial interest in Items 3 as owner. The view on this item and items 1 and 2 had been previously submitted.*

1. TM/06/01974/FL Norcadia, Reeds Lane, TN11 9RR

Proposal: *Replacement garage with accommodation over and single storey side extension.*

View: (already submitted) *"No objection"*

2. TM/06/02415/FL Puttenden Manor, Puttenden Road, TN11 9QY

Proposal: *Change of use (part retrospective) of land and buildings as Equine Training establishment, and use of 4 no. timber loose boxes for the stabling of horses in association with the use of Puttenden Manor as a dwelling, with access from Puttenden Road.*

View: (already submitted) as follows:

*“The site is in an Area of Outstanding Natural Beauty, a Special Landscape Area and abuts a Site of Nature Conservation Importance. Puttenden Manor and outbuildings are listed Grade II. Planning permission was granted in 1992 for the erection of stables and the creation of a ménage to replace the original stables that had been converted to residential use.*

*The permission for the stable and ménage was granted solely and specifically for the private stabling of horses by the owner and not for commercial stabling.*

*Shipbourne Parish Council objects to the application and any commercial use of the site.*

*Reasons:*

- 1. Commercial use would harm significantly the amenities of the locality. Policy P4/11 of the TMBC Local Plan requires development to not harm the particular character and quality of the local environment.*
- 2. Commercial use would harm significantly the amenities of the locality and the free and safe flow of traffic on local highways. Policy P6/14/4 requires change of use of rural buildings to be acceptable in terms of residential and rural amenity and in terms of highway impacts.*
- 3. Commercial use of the site would damage the character and amenity of the established residential use. Policy P6/13/2 requires equine development to have no adverse impact (noise, light, traffic) on residential.*
- 4. The increase of traffic to serve a commercial enterprise on the site outlined in red on the plan would have a detrimental and harmful impact on the ecology of the adjoining land and lanes. See Policy P6/12/9 regarding noise, light, traffic impact and P6/12/6 re adverse impact on nature conservation. Protected species (nightingales, bats, owls, hares and badgers among others) are found on the holding.*
- 5. Commercial use as applied for would have a minimal impact on the rural economy but potentially any commercial use would have a greater adverse impact on the character of the rural area. The application does not accord with local, national or strategic policies such as Policy SS8 and it is also contrary to EP7 of the Adopted Kent Medway Structure Plan 2006.*
- 6. The proposed change of use to commercial use would cause material harm within the Area of Outstanding Natural Beauty. Policies P3/5 state that major commercial development will not be permitted unless there is a proven national interest or a lack of alternative sites; likewise, there is no proven benefit to the above application and there are alternative sites within the borough.*

*Adverse impact:*

*Should the environmental consequence of this development proposal be unclear, the decision should be made on the basis of Precautionary Principle. The detrimental impact of the proposed development on interests of acknowledged importance (residential amenity, amenities of the locality, free & safe flow of traffic on local highways) is in the view of SPC quite clear but should TMBC feel it is not clear then the proposed application should not be permitted.*

*For adverse impact on residential amenity see P6/13/2; hazard to road safety see P6/13/3.*

*Note: Shipbourne Parish Council objects to the application for the reasons detailed above. However should any permission be granted, SPC would like the following conditions made as part of that permission:*

*1. Size of Establishment:*

*That the number of horses allowed to be stabled on the site to be used for an Equine Training Establishment should not exceed 8. Reason: Only 8 brick stables exist in the brick stable block on the site outlined in red on the plan. Any increase to this number would cause over-intensive use as there are 4 other looseboxes on the holding.*

*2. Lighting:*

*That the outdoor sand school is not lit after 4 pm GMT or 6 pm in British Summertime.*

*Reason: Lighting will have an adverse impact on the amenity, the ecology, and the residential character of the area. P6/12/6 nature conservation interests and wildlife habitats. P6/13/2 adverse impact.*

*That external lighting to the barn and stables on the site outlined in red on the plan is time sensitive. SPC wish to draw TMBC's attention to the fact that:*

- a. The site is elevated and not screened.*

b. Among the nocturnal mammals, birds and insects, that currently inhabit the holding and surroundings, many are protected species. Nightingales are resident on the holding, there are bats in large numbers on the site, hares breed on the holding and many Little Owls breed and hunt on the land and the adjacent semi-natural ancient wood known as Shipbourne Wood. This is a designated SNCI.

c. New Government guidelines make it an offence to pollute the night sky with electric lighting.

### 3. Traffic & HGVs:

*That all heavy goods vehicles servicing or visiting the site outlined in red use the strategic route of Hamptons Road and not the adjoining lanes and roads.*

*Reason: Increase in traffic would harm significantly the amenities of the locality and the free and safe flow of traffic on local highways, P6/13/3.*

*Large vehicles have an adverse impact on the character of the rural lane known as Puttenden Road. SPC wish to draw the TMBC attention to the fact that Puttenden Road is an ancient and narrow sunken lane. In many places along Puttenden Road, a car and large vehicle cannot pass. Verges are at risk of erosion and the large hedgerow trees risk damage from tall or wide vehicles.*

### 4. Permitted Rights:

*That all permitted development rights be removed from the site known as Puttenden Manor and Puttenden Manor Farm.*

*Reason: The original agricultural buildings and stabling at Puttenden Manor and Puttenden Manor Farm were converted to residential use in 1981 and 1982. This led to the application and subsequent permission for storage and stabling to replace the lost agricultural buildings at Puttenden Manor and on land called Puttenden Manor Farm in 1992. Further development would be contrary to all Policies and would result in gross over development of the site. This over-intensive use of the site could harm significantly the amenities of the locality and the free and safe flow of traffic on local highways."*

The parish council has received copies of letters and a number of telephone calls from local residents confirming their objection to the proposal.

The above application will be decided on Wednesday 13th September at TMBC's Area 2 Planning Committee meeting. The parish council will attend and speak.

### 3. TM/06/02592/RD Barrwood, Hildenborough Road, Shipbourne, TN11 9QA

Proposal: Details of materials submitted pursuant to condition 2 of planning permission ref. TM/06/00255/FL – Reclaimed roof tiles.

View: (already submitted) *"No comment"*

### 4. TM/06/02840/LRD Old Woodcocks, Reeds Lane, Shipbourne, TN11 9RR

Proposal: Details of infilling and door and architrave pursuant to condition 5 of Listed Building Consent ref. TM/05/02204/LB (replacement kitchen and bedroom windows and internal alterations).

View: *"No comment"*

### c) Enforcement and other planning issues:

The council will progress two outstanding alleged breaches of planning with TMBC.

## **10. Rights of Way**

None.

## **11. Village Hall**

Following discussion between Alan Bristow, Mark Beadle and Curtis Galbraith it was reported that the September meeting of the Village Hall Management Committee confirmed that, following advice from Action with Communities in Rural Kent, the current

use of the village hall was broadly in line with the Charities Commission Trust Deed. The Committee had been unanimous in that the village hall should be treated as a continuing asset to the village and should not be mothballed.

It was understood by the parish council that the management of the hall was a matter for the Management Committee although the parish council was responsible for funding the operation of the Hall less any rental income. There was still doubt over the desirability of having a commercial nursery school as the major hirer as well as its long term viability due to low pupil numbers. The Management Committee will be asked to formulate an estimation of future total funding requirements in order that the appropriate sum can be requested from TMBC through the annual grant and precept.

## **12. Correspondence (not circulated or dealt with elsewhere)**

KCC has advised of its new 'Explore Kent' website [www.kent.gov.uk/leisure-and-culture/explore-kent/](http://www.kent.gov.uk/leisure-and-culture/explore-kent/) that has been designed for 'local residents to find walking, cycling and riding routes near to where they live'. Subject to Rachel checking that the site did not encourage parking on or around the common, the parish website would carry a link for the site.

Hadlow Parish Council had provided updated details of its Emergency Plan.

Mr Ron Williams has responded to the parish council's letter previously minuted. A draft reply was discussed and its contents agreed for the Clerk to send. *Cllr. Rachel Simpson declared an interest in this matter as she owned land adjoining Little Mead albeit in another parish.*

## **14. Any Other Business**

From the last meeting, the council discussed progress in the matter of establishing a specification for the mowing of the Churchyard. A draft document has been produced by Rachel Simpson and was circulated for comment. It was agreed that this would be finalised for the October meeting. The Clerk will write to the current contractor to outline the position and to request, as previously minuted, a copy of his employers and public liability insurance certificate and in addition, any health and safety statement he has in place. A risk assessment of this task will be carried out. *Lynette Sargent registered a personal interest as a relative of the contractor.*

The council also discussed the wider need to carry out risk assessments for all assets it owned and all tasks it specified. This was a complex area and one where it was felt that specialist advice should be sought. Enquiries will be made to try and identify a suitable adviser and the matter will be progressed in October.

The Clerk reported that the new Shipbourne village website has received almost 4000 page 'hits' from many sources and countries responding to a variety of questions posed to search engines. It was agreed to consider a format whereby suitable local businesses could advertise on the 'Directory' page in return for a modest annual sum. A modest number of such entries would ensure that the website operated on a self-funding and that it was regularly updated.

It was noted that there had been further vandalism to the bus shelter on the common. Frank Chapman will be asked if the Newsletter can carry a message asking users to

respect the shelter and for passers-by to be observant. The Clerk will liaise with Arthur Greer to discuss repairs.

The proposed village sign was discussed. The 'triangle' of grass at the Hildenborough Road / A227 junction was suggested as a likely position. Designs will be discussed at the next meeting.

It was reported that this year's 'Dunksfest' had generally been well controlled although one complaint of lighting 'blinding' drivers on the Dunks Green Road bend had been received. Whilst appreciating the local nature of such events and the community spirit they engender, the council will speak with the owner of the Rifleman to discuss the issues raised of liability and risk in future.

Rachel Simpson said that the council should have received an invitation to a forthcoming Kent Downs Countryside Day. Mark Beadle expressed an interest in attending and Rachel agreed to enquire whether a place would be available.

TMBC is inviting comment on the final draft of its Local Development Framework (LDF). This sets out how and where new development in the borough should take place over the next 10 to 15 years. Copies of the Plans, which are mighty tomes, have been sent to the council and began circulation.

The meeting closed at 21.35

Signed: \_\_\_\_\_ (Chairman)

Dated: \_\_\_\_\_

*Dates of future meetings: (Meetings held on a Monday at 7.30 p.m. in the Village Hall  
October 9th, November 13th & December 11th*