

STANSTED PARISH COUNCIL**MINUTES OF THE PARISH COUNCIL MEETING HELD ON MONDAY 7 MARCH 2016 AT FAIRSEAT VILLAGE HALL, VIGO ROAD, FAIRSEAT AT 8.00 pm**

PRESENT:	Cllr Harry Bott	Chairman
	Cllr John Brooker	
	Cllr Mrs Polly Falconer	
	Cllr Michael Osborne	
	Cllr Daren Sefer	
	Cllr Kevin Sparkes	
	Mrs Roxana Brammer	Clerk
In attendance	Cllr Mrs Sarah Hohler	Kent County Council
	Cllr Robin Betts	Tonbridge and Malling Borough Council
	12 members of the public	

Item	<i>Action point</i>
Minute no 2015/16/	

1 APOLOGIES

407 An apology for absence was received from Cllr Mrs Goodworth, who was on holiday. This apology was accepted by the Council. An apology for absence was also received from Cllr Martin Coffin, Tonbridge and Malling Borough Council.

2 INTERESTS

408 Cllr Mrs Falconer declared a personal interest in item

3 MINUTES OF THE MEETING HELD ON 1 FEBRUARY 2016

409 It was proposed by Cllr Mrs Falconer, seconded by Cllr Bott and agreed the minutes of the meeting held on 1st February 2016 be signed as a true record.

4 MATTERS ARISING

410 No matters were raised.

COUNTY AND BOROUGH COUNCILLORS' REPORTS

The Chairman suspended the meeting to allow Cllrs Mrs Hohler and Betts give their reports.

Cllr Mrs Hohler described pressures on the County Council's budget. They had been allowed a 2% surcharge for adult social services. They needed £31 million and 2% was not nearly enough. There were increased demands of the elderly, the living wage and more pressure on schools budgets and on school transport. All lights will be changed to LED which would save money in the long term. She said that the existing Dartford crossing was over capacity and that Highways England did not want extra chaos at Dartford, therefore the east of Gravesend option was preferred, where it was

proposed a 2½ mile tunnel be constructed. Highways England had also promised funding to solve “operation stack”. Junction 4 of the M20 was about to be widened. Cllr Mrs Hohler had attended a meeting about the chalk downs grassland on behalf of the Parish Council. Delegates had been asked to attend with documentation on the history of their villages. It was thought that the grassland was not being managed properly and that wildlife was affected.

Cllr Betts referred to the complaints about dog fouling in Fairseat. The Parish Council would have to supply the bins but the Borough Council would empty them. Existing litter bins could be used as dual purpose bins with the correct labelling. The dog warden would visit Fairseat Recreation Ground.

The Chairman thanked Cllrs Mrs Hohler and Betts and reconvened the meeting.

5 PLANNING

a Applications

- 411 i **TM/16/00235/FL:** Fairseat Farmhouse, Vigo Road, Fairseat: Boundary wall. This application had not yet been received.

After discussion it was agreed to object as follows:

Stansted Parish Council objects to this application because it contravenes National Policy Framework 11 (109), 12 (clauses 126, 127, 131, 132, 133), The Planning (Listed Buildings and Conservation Areas) Act 1990 (72) and TMBC Saved Policy for Conservation Areas. We outline our objections in more depth.

Background

The application sits within the Fairseat Conservation Area (a fact not advised on the application). This Conservation Area according to the TMBC Conservation Analysis is “Green Belt, Special Landscape Area. No changes since last review, no changes likely in the future.” There are two listed buildings within the Conservation Area:-

- Fairseat House (grade II) which is hidden from the road due to hedges and not affected by this application
- Fairseat Manor and Garden Wall to north (Grade II*) which is directly opposite the applicant site and will be affected by the application.

Due to the small number of listed buildings within the Fairseat Conservation Area, it was designated due to its special landscape features and appearance so any decision needs to weigh up the effect on the appearance the wall will have as well as to its effect on the listed buildings.

The applicant’s wall will affect approximately 5% of the total public road frontage (or greater than 10% of one side) within the Conservation Area which is a significant proportion of the Special Landscape Area. The front of the wall is 2.2 mtrs (7.2 ft) and this will sit on a raised bank of approximately 30 cms (1 ft). This means the whole structure from the public roadside to its top will be approximately 2.5 mtrs (8.2 ft) high.

Appropriate Planning policies

When determining this application then the appropriate policies need to be assessed.

The National Policy Framework, The Planning (Listed Buildings and Conservation Areas) Act 1990 and TMBC Saved Policy Proposal Conservation Areas) all have a presumption that Conservation Areas should “protect and enhance” or as stated in The Planning (Listed Buildings and Conservation Areas) Act 1990 (72) and TMBC Saved Policy Proposal Conservation Areas “preserve or enhance”.

Does this application preserve the Conservation Area?

This application does not preserve the Conservation Area – the creation of a permanent wall over 8ft from the roadside to its top across over 5% of the public roadside is a significant change to the character of the Conservation Area.

The creation of a wall opposite Fairseat Manor’s Grade II*’s wall will significantly affect its setting. Furthermore, due to the prevailing wind on the top of the North Downs the two parallel walls will create a “wind tunnel” which will affect pedestrians walking through the village.

Does this application enhance the Conservation Area?

The application cannot be seen to enhance the Conservation Area and due to its scale and impact on the Special Landscape Area. Furthermore, it will negatively impact on the village hall and village green which are community assets and used by different interest groups.

The changing of the access for the garage is against what has been agreed in its planning application (TM 12/03737/FL). A new access point has been created and the garage turned 180 degrees.

The change of access will negatively affect the access to the village hall and green as well as causing danger to pedestrians coming from the village hall and green. The pedestrian gate onto the green is on the near side of the application and the wall will create a blind spot.

Not only does the application not fit the planning policies of preserving and enhancing a Conservation Area but it goes against the following policies:-

National Policy Framework

11. Conserving and enhancing the natural environment

109. The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes,
Does not conform (see above)

12. Conserving and enhancing the historic environment

126. “they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. ..local planning authorities should take into account:

- the desirability of new development making a positive contribution to local character and distinctiveness;

The application does not make a positive contribution to the local character and distinctiveness it actually reduces the character and distinctiveness by creating a more suburban and hostile environment.

127. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including
 128. any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Due to the scale and impact of this application, a one page design and access statement assessment in no ways fulfils the obligations required under this policy. obligations of this part of the planning policy.

131. In determining planning applications, local planning authorities should take account of:
- the desirability of new development making a positive contribution to local character and distinctiveness.

This application does not make a positive contribution to the local character and distinctiveness. The building is being hidden behind a "fortress wall" that will be permanent.

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting..... Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

This application is sufficiently close to a grade II* listed building and wall that it will sufficiently alter the whole setting and create substantial harm to the Special Landscape Area and the grade II* listed building. There is nothing wholly exceptional about this application except the applicant believing they want security to hide behind 7 foot wall.

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss

There are no public benefits to this application and it will create substantial harm to a designated heritage asset. As shown above the public (via the Village hall and access to the village green), will be actively disadvantaged by this application.

Within the National Policy Framework it states:-

The principles and policies set out in this section apply to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-taking.

Planning and listed buildings act (1990) has the following clauses

69. Designation of Conservation Areas.

(1) Every local planning authority—

(a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and

(b) shall designate those areas as Conservation Areas.

72. General duty as respects Conservation Areas in exercise of planning functions.

(1) In the exercise, with respect to any buildings or other land in a Conservation Area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

This application does not preserve or enhance the Conservation Area.

TMBC Policies

TMBC saved policy – for Conservation Areas. The Conservation Area is an area of architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.

TMBC web site

Within these areas we are required to take special care when we make decisions on applications, as any changes should respect the existing character and preserve or enhance that character and the appearance of the Conservation Area

As above, this application does not preserve or enhance the Conservation Area.

Trees

There are several trees at the site whose roots would probably be seriously affected by the foundations necessary for the construction of a wall. These trees are protected as they are in a conservation area.

Loss of Amenity to the Village Hall

As well as danger to users of the Village Hall by the altered access point along the unmade up roadway to the hall and The Old Post Office, a high wall will block some of the natural light to the Village Hall. It is recognised that there are no rights to light but a loss of natural light will be a significant loss of amenity to hall users, who currently include a daytime group for bereaved children.

The Parish Council asks the Local Planning Authority to refuse this application, for the reasons given above.

412 **b Decisions**

The decisions as listed on Appendix A were received.

c Enforcement

413 **i Vigo Inn, Gravesend Road, Fairseat**

It was reported that the enforcement officer considered there was a possible breach and was investigating further.

414 **d Appeals**

None

415 **e Other Planning Issues**

None

6 FINANCE

416 **a Bank Balances**

The bank balances as set out in Appendix B were noted.

417 **b Cheques signed since Last Meeting**

The cheque signed since the last meeting as listed on Appendix B was ratified.

418 **c Accounts for Payment**

It was proposed by Cllr Bott, seconded by Cllr Mrs Falconer and agreed the accounts for payment as listed on Appendix B be paid (cheques 768 - 769), with the addition of £2760, T J Brooker (cheque 772).

7 GRANT APPLICATIONS TO THE COUNCIL

419 **a Stansted PCC**

It was proposed by Cllr Bott, seconded by Cllr Mrs Falconer and agreed a grant of £1,036 be made to the Parochial Church Council under S 215 of the LGA 1972 for the mowing of the churchyard.

8 STANSTED SCHOOL

420 **a Marketing of the School for Sale**

It was reported that the Diocese had put the school on the market, with the mention of the disagreement over the boundary.

The Chairman suspended the meeting to allow a resident of Ridley who was interested in the school to speak.

Mr Cooper asked for details of the problem with the boundary and Cllr Bott gave the history of the land leased for the school extension. Mr Cooper asked what the Parish Council would like to see the building continue as and pointed out that the school could be bought unconditionally. Cllr Bott replied briefly and said that he would prefer not to go into lengthy discussions at that stage. He thanked Mr Cooper and reconvened the meeting.

421 **b Land Registry**

Cllr Bott reported that there had been an exchange of letters with the Land Registry and he believed no sale could take place under the present circumstances.

9 MANAGEMENT OF THE COUNCIL'S LAND & PROPERTY

a Recreation Ground

422 i. General Matters. Nothing to report

423 ii. Hire of Ground. Nothing to report.

424 iii. Posts. The posts had been replaced. More had been needed than originally envisaged.

425 **b Playpark**

There was nothing to report on the Stansted playpark. It was understood that it was expected the S 106 money from the Oakwood Farm development would be used on the Fairseat Recreation Ground playpark.

426 **c War Memorial and Garden**

It was understood from Mr Hills that the roses had died through drought and lack of fertiliser.

427 **d Telephone Kiosk**

In Cllr Mrs Goodworth's absence, there was no update on the Knitting Group's display. It was reported that the Fairseat Village Hall Committee was investigating adopting the Fairseat telephone box.

428 **e Church Bank**

Some of the land disturbed by the drainage works had sunk and the PCC would be asked to make it good when the conditions improved..

429 **f Village Green Land, Hatham Green Lane and Parsons Lane**

Nothing to report.

10 BROWNE'S BEQUEST

430 Nothing to report.

11 HIGHWAYS & TRANSPORT

431 **a Wyse's Lane**

The Clerk had been told that the lane was a "BOAT". She was waiting for a public right5s of way officer from the West Kent team to contact her.

12 VILLAGE HALLS**432 a Stansted Village Hall**

In Cllr Mrs Goodworth's absence, there was no report.

433 b Fairseat Village Hall

The Hall Committee was hoping to renew the chairs. The Clerk was asked to place the matter of dog waste bins on the agenda for the next meeting.

13 POLICE MATTERS**434 a Police Representative's Report**

In Cllr Mrs Goodworth's absence, there was no report.

435 b Neighbourhood Watch

In Cllr Mrs Goodworth's absence, there was no report..

14 BROADBAND

436 Cllr Bott said he had been told the project had been delayed as the possibility of putting a cabinet into Stansted was being investigated. Fibre optic cables would be run off.

15 MEETING DATES**437 a Annual Parish Meeting**

The Annual Parish Meeting would be held immediately prior to the Annual Parish Council Meeting on Monday 9th May in Stansted Village Hall.

438 b Meeting Scheduled for June 2016

Due to the Clerk's being on holiday and the possibility that several councillors would also be on holiday, it was agreed the meeting due to be held on Monday 6th June be cancelled. It was agreed a meeting be held on Monday 1st August in Fairseat Village Hall. It was also agreed the annual inspection of the parish take place on Monday 6th June, meeting at the Fairseat pond at 6.30 pm.

16 REPORTS ON MEETINGS ATTENDED BY COUNCILLORS OR CLERK**439 a Parish Partnership Panel**

Cllr Sefer reported on the meeting he had attended. There was now a mobile phone app to record flytipping. Cllr Mrs Falconer said she felt the parish should make more of an effort to clear up litter. Bags had been left at the top of Stansted Hill for some time.

17 WORLD WAR I COMMEMORATIVE BOOKLET

440 Nothing to report.

18 CONSULTATION

441 No documents received.

19 CORRESPONDENCE

442 None.

20 REPORTS AND CIRCULARS

443 None received.

21 ANY OTHER BUSINESS

444 a **Queen's 90th Birthday**

A beacon to mark the occasion of the Queen's 90th birthday was discussed and it was agreed to put the item on the agenda for the next meeting.

PUBLIC SESSION

Mr Hills mentioned road gullies that needed clearing and pot holes in Vigo Road outside Dairy Farm. He also said that the road signs were not visible.

Mr Sheldon said that the PCC were now able to hire out the Cloisters church room.

The Chairman thanked councillors and members of the public for attending and closed the meeting at 9.10 pm

SignedChairman

On theday of2016