

**MINUTES OF A PLANNING AND FINANCE MEETING OF YALDING PARISH COUNCIL
HELD ON TUESDAY 5 AUGUST 2025 AT 7.00 P.M. IN YALDING VILLAGE HALL**

PRESENT

Geraldine Brown (Chairman)
Pip Jamieson(PJ)
Dee Ann Stead (DS)

Tim Chapman (TC)
Andy Sanders (AS)
Kelly Woods (KW)

DECLARATION OF INTENSION TO RECORD PROCEEDINGS

There were none declared.

PUBLIC SESSION

There was one member of the public present who did not wish to speak.

1. APOLOGIES FOR ABSENCE

Councillor Bates sent her apologies due to work commitments; Councillor Gough sent his apologies due to sickness; they were accepted.

2. DECLARATION OF INTEREST OF COUNCILLORS IN ANY ITEM

2.1. DECLARATION OF CHANGES TO THE REGISTER OF INTERESTS

None were declared.

2.2. DECLARATION OF INTEREST IN ITEMS ON THE AGENDA

AS declared an interest in agenda item 4.1 as he had bills for payment.

DS declared an interest in agenda item 3.4.1 as she lives close to the development.

2.3. REQUESTS FOR DISPENSATION

None were requested.

2.4. DECLARATION OF ANY GIFTS RECEIVED

None were declared.

3. PLANNING

3.1. TO DECLARE ANY LOBBYING OR FORMAL REPRESENTATION

There was none declared.

3.2. SCHEME OF DELEGATION

It was confirmed that the following planning applications were responded to in line with a Scheme of Delegation and the response is included at the end of the minutes of this meeting:

- 25/502555/FULL - Hatchgate House Mill Lane
- 25/502713/FULL - 5 Medway Avenue
- 25/502770/FULL - Wolverley, Vicarage Road
- 25/502741/AGRIC - Court Lodge Farm, Kenward Road
- 25/502759/AGRIC - Court Lodge Farm, J A Worley Ltd, Kenward Road
- 25/502729/TCA - Alms Houses, Vicarage Road
- 25/502883/TPOA - 26 Hawthornden Grove, Yalding
- 25/502929/LAWPRO - 1 Lyngs Close, Yalding
- 25/502953/LAWPRO - Little Venice Country Park And Marina
- 25/502961/AGRIC - Little Budds Farm, Gravelly Ways
- 25/502771/LAWPRO - Wolverley, Vicarage Road
- 25/502764/LDCEX - 4 Trumans Farm Cottages, Willow Lane

3.3. PLANNING APPLICATIONS

Planning decisions are recorded at the end of the minutes.

3.4. ANY OTHER URGENT PLANNING MATTERS

3.4.1. FERNHAM HOMES - LAND NORTH AND SOUTH OF KENWARD ROAD

A planning application has been received 25/503066/REM. Comments are due by 22 August, The Clerk has asked for an extension. It was agreed should an extension not be granted that The Chairman has the delegated power to object and call in to Maidstone Borough Council (MBC) planning committee. DS did not take part in the conversation as she had declared an interest.

3.4.2. THE GEORGE - UPDATE

It was agreed at the July meeting to object to planning application 25/502615/FULL. The final response was agreed under The Scheme of Delegation and is included at the end of the minutes of this meeting.

The Clerk has written to the head of MBC planning to request that this application is taken to planning committee at the same time as planning application 24/503344/FULL as they are intrinsically linked.

The Clerk has asked the planning officer to correct the titles of the misleading documents on the planning portal; this has not yet been done.

The owner has submitted a Freedom of Information request citing serious concerns regarding harassment, racial discrimination, and defamation by representatives of The Council including The Clerk. A response was circulated and approved.

4. FINANCE

4.1. MOTION TO PAY BILLS

A list of bills (as attached) totalling £15,790.47 exclusive of VAT, was circulated: proposed KW, seconded PJ and all agreed that they be paid. AS did not vote as he had bills for payment.

4.2. CONFIRM RECEIPTS

A list of receipts (as attached) totalling £5,655.39 was circulated.

4.3. MONTHLY SPEND AGAINST BUDGET REVIEW

There was no unbudgeted or previously approved spending.

4.4. BANK BALANCE AS AT THE END OF JUNE 2025

The cleared bank balance for the end of June 2025 was confirmed:

- NatWest £41,930.84
- Unity Trust £72,349.22

4.5. TO CONFIRM THE BANK RECONCILIATIONS FOR JUNE 2024 HAVE BEEN SIGNED AS CORRECT

It was confirmed that these have been signed as correct.

4.6. VE-DAY 80 INCOME AND EXPENDITURE

The VE-DAY 80 income and expenditure was reviewed. The event was within budget.

5. ANY URGENT BUSINESS

5.1. TO AGREE THE UPDATED HIGHWAYS IMPROVEMENT PLAN

The updated Highway Improvement Plan was agreed.

5.2. FEEDBACK TO CLOCK HOUSE FARM WITH REGARD TO THEIR PLANTING PLANS

Clock House Farm has sent a letter outlining its plans for 2025.

It was agreed to reply asking for a site meeting.

COMMENTS ON PLANNING APPLICATIONS

25/502615/FULL

The George Benover Road

Section 73 Application for Minor Material Amendment to approved plans condition 2 and 6 (to allow for the removal of stairs, existing front doors to be retained and layout amendment) (Retrospective), pursuant to 23/502781/FULL for Change of Use from ground floor Sui Generis (Public House) to Class E restaurant part retail facilities with ancillary Sui Generis use (Takeaway).

STRONGLY OBJECT

Condition 2 and 6 should not be amended as these conditions were originally given to protect the heritage of this Non-Designated Heritage Asset and The Yalding Conservation Area, the amenity for residents and to some extent the risk of occupants. This application not only removes the staircase but also the counters and toilets and the proposed bar, the alterations are not minor they completely change the intent of the development as stated in The Heritage Impact, Design and Access Statement (attached). There have also been alterations to the windows and doors contrary to The Heritage Impact, Design and Access Statement that states that there are to be no changes to the outside of the building.

It should be noted that in the last week or so building works have been started and it appears that the works they are seeking permission for via this application have commenced before the application has been considered. Indication of further disrespect of the planning system.

If the planning officer is of a mind to approve the application Councillors ask that it be called into Maidstone Borough Council (MBC) planning committee.

This application is almost identical to planning application 24/502003/FULL which was dismissed by the planning inspector on 10 June 2025. The planning inspector concluded that application 24/502003/FULL did not accord with the development plan or national planning policy regarding flood risk. Stating that the development is contrary to Policy LPRSP14 (C) of the Local Plan, the

inspector reported that as it had not been proved that the development has not increased the risk of flooding elsewhere, namely the accommodation above. YPC concur and would add to this the increased flood risk to neighbouring Kingsland Cottages also.

With this in mind it is imperative that this new planning application is considered alongside planning application 24/503344/FULL change of use of the existing residential accommodation on the upper floors of the building to a 7-bedroom HMO (Sui Generis) for 10 occupants. The two applications are intrinsically linked with regard to flood risk,

indeed the Environment Agency (EA) Letter, Chartered Architect Letter, Flood Warning and Evacuation Plan and the Flood Risk Assessment (FRA) submitted as evidence in this new application have been written solely for the HMO application and actually state in both the FRA and the Flood Warning and Evacuation Plan that it should be noted that the ground floor of the building is not part of this planning application.

The applicant has made no attempt to explain why the application has come forward again or to address the reasons that the planning inspector dismissed the appeal of the previous application.

There are three different plans all titled Proposed Ground Floor Plan submitted with this application. This is very misleading to both Councillors and the general public and must be clarified to allow meaningful representation by all and to fully understand what the development is trying to achieve.

Flood Risk - The submitted application form states that the stairs are no longer required so their removal provides more flexibility in design. Property Flood Resilience (PFR) for flooding can still take place because the dedicated person to carry this out can still access the entire building including Ground and first floor.

The Architect letter replying to the EAs flood risk concerns states that they can confirm MR VISHNU CHERUKARA will be the dedicated person responsible for the deployment of the PFR measures to protect the ground floor. There is no statement that this dedicated person either lives on site and is readily available at all times or how he has access to the whole building. In a recent flood event in January 2025, flood wardens reported that they had to call at The George as they had not deployed their PFR, the person they spoke to had no idea where or what PFR was. They had to find someone who knew and eventually the owner arrived. The PFR was deployed at The George several hours after that to the neighbouring and attached properties; it must be understood that if PRF is not fitted or fitted incorrectly it not only effects that property but also adjacent properties putting them in danger of flooding. The flood wardens also noticed that the back door where PFR should be installed (rails were in place) had been boarded up. This would mean the property would flood in this vulnerable location (probably the first-place flood water would reach) as the PRF could no longer be fitted. During this flood event, the flood wardens noticed that the flood water had reached the external staircase, which is now the only access to the upstairs of the property, whilst the front of the property and Benover Road was still clear of water. This is the very reason YPC has serious concerns, as did the planning inspector, that by removing the internal staircase the upstairs residents have no second means of escape and are therefore at greater risk and the risk to any emergency workers who have to rescue them. To reiterate the external staircase is inaccessible in a flood long before the internal staircase. The Flood Warning and Evacuation Plan shows a potential route of safe escape along Benover Road and across Town Bridge; Benover Road is completely submerged in a serious flood. The plan notes that owners and occupiers should not use this route once flooding has commenced and instead seek refuge within the first and second floors of the building. Experience tells us that that people, especially those that have never experienced a flood will attempt to take refuge

and then later need rescue. This decision for the upstairs residents will need to be made much sooner now that there is no internal staircase. In the serious flooding of Christmas 2013 it must be noted that there was no electricity to this part of the village for some three to four days and therefore if the occupiers of the upstairs accommodation took refuge they would have undoubtedly needed to be rescued due to the cold. Any new development should seek to eliminate the need for emergency service workers to put their lives at risk, this development increases the risk due to the removal of the internal stair case. The EA have pointed out that there is no safe access or egress at the time of flooding but it is not the EAs responsibility to object on these grounds. It is the local planning authority's responsibility to ensure safe access and egress to a flood zone 1 can be achieved at times of flood. The inspector in his appeal report pointed out that when asked for their opinion on flood risk in this case no response was received by The Council. This is a very worrying situation when decisions have to be made on this important matter.

Heritage - This current application must be considered in the context of approved planning application 23/502781/FULL, which the applicant has not complied with. It has been suggested that the dismissed planning application 24/502003/FULL and this new application only relate to the internal aspects of the building with the external facades and street scene outside remaining unaffected. This is not the case. The external facades were changed by replacing the windows and doors out of compliance with the original planning consent for planning application 23/502781/FULL. The Heritage Impact, Design and Access Statement for the original application states that the project does not involve any alterations to the building structure it will only have an interior refurbishment to upgrade the interior design and facilities. Alterations were however made by replacing the traditional style doors and windows with those inappropriate for this Non-Designated Heritage Asset or The Yalding Conservation Area and are a cause of significant light pollution. This should have formed part of the retrospective application 24/502003/FULL and this new application and should have been enforced against in their own right; an informative with this regard suggested by planning officers will not suffice to rectify this intolerable situation. The planning inspector acknowledged that removal of the central staircase and other features has markedly changed the fabric of the ground floor to how it was previously used and appeared. Given the long association of the building being used as a public house, the removal of these features has resulted in harm to the internal character of the Non-Designated Heritage Asset when compared to how it has historically been used and likely laid out. The works that have occurred have also affected the ability for existing conditions regarding archaeology to be complied with. However, there is a question as to whether this acknowledged harm to the significance of the NonDesignated Heritage is outweighed by the schemes benefits. Yalding Parish Council and its residents can confirm that there are no benefits to the scheme as it currently operates or is proposed in this application and as such the harm is more than significant.

1. Respect amenity for residents - Yalding was promised in The Heritage Impact, Design and Access Statement in

application 23/502781 that The George public house would be transformed into a restaurant which will specialise in promoting local produce in the menu and also with a facility to sell local produce within the building. What we have been given is an extremely scruffy retail establishment, selling the same products as the shop next door. The shop itself is dirty and untidy and the grounds are a disgrace, overgrown with large weeds/grass, a decaying children's play area, a derelict abandoned van (being smashed daily by youths) building rubbish, litter and retail boxes etc. and has been subject to waste crime investigations. At best we have been given an eyesore, at worst a health hazard. The owner has had permission to run a take-away and a restaurant/café for almost two years and has chosen not to, instead using the kitchen and toilets as a stock storage facility. However, they are now advertising fish and chips from August, hardly the local produce take away we were promised. Anti-social behaviour in the all but abandoned car park is rife, with theft, suspected drug dealing and people sleeping in an abandoned vehicle. Residents have called police on a number of occasions and the quality of life of the residents of near neighbours is becoming intolerable. Councillors are aware that competition is not normally a material planning consideration, however sustainability of a larger village is a consideration of the local plan. The development instead of complimenting the retail facility next door, as the original approved plans suggested, is now in direct competition. Locals are boycotting this new shop and it is only picking up passing trade. The Parish is in real danger now of losing both shops. Yalding Parish Council and its residents are dumbfounded that anyone can accept that the amendments and the reduction in floor space to be minor. The submitted application form stated that the stairs are no longer required so their removal provides more flexibility in design. The restaurant is in a better position adjacent to the kitchen where the food will be prepared which makes more sense. In the approved plan food would have to be carried through retail space. An additional plan has been provided showing coloured zones for clarity and to demonstrate how the new proposals match the same proportions as the approved plan. This statement is clearly misleading; at no point in the original application were dimensions introduced. Yet it is obvious when looking at the approved drawing and having an understanding of the original public house layout, that the restaurant space was approved as being as large as the retail space. To claim that retail was always 70% is simply not the case and it is difficult to understand how this has been accepted by MBC without question. A planning officer has suggested to the applicant that reducing the restaurant space would not be an issue (email embodied in the dismissed and current application form)! The original location of the restaurant was ideal being next to the garden, enjoying its own bar and toilet facilities. Food could have been easily served via the counters, as was the case when it was a public house and as shown in the approved application, without the need to be carried through the retail space at all as the applicant suggests.

Unfortunately, these counters were also removed contrary to the consent given. The new proposed location for the cafe is located in front of the take-away area, next to the retail with no facilities and no garden access, very unlikely to provide the inviting meeting amenity suggested by the inspector. The original location would provide a far superior amenity for residents to socialise. Policies LPRSP15 and LPRQD6 of the Local Plan, seek to respect amenity for residents as did Condition 6 of approved planning application 23/502781/FULL. This development has significantly removed amenity facilities from residents. It has not given the promised restaurant/café and take away, so we have lost a public house and gained nothing. It also has a visible, social and real negative impact on the local centre. Planners cannot allow this in a larger village considered suitable for housing development.

Parking - A condition was applied to planning application 23/502781/FULL The off street car parking and access shown on drawing 1001 Site Block Plan shall be retained for use by customers and staff of the application building. In order to ensure that car parking will not be displaced on to the street where it may cause harm to highway safety. This is not enforced and passing customers often park on the double yellow lines outside the building causing traffic back up. The access and car park has not been maintained and now has significant potholes that can be a danger to those who do use the car park and their vehicles resulting in these customers also parking on the double yellow lines. Now it is also proposed to share this carpark with the proposed HMO. It is also now home to the InPost locker (the lockers application 24/504670/FULL was refused but is still present in the car park) which means there is traffic picking up and dropping off packages.

Summary - YPC respectfully urge MBC to refuse this application and ensure:

- Condition 6 (and as such condition 2) is retained as they were originally given to protect the heritage of this Non-Designated Heritage Asset and The Yalding Conservation Area, the amenity for residents and to some extent the risk of occupants.
- The layout and purpose of the project is returned as close as possible as to the approved application 23/502781 and stated in The Heritage Impact and Design and Access Statement to ensure the original intended respect of amenity for residents. As opposed to the current loss and the potential for further loss of such amenity.
- The internal staircase is reinstated to improve the ability to escape during a time of flood reducing the risk to future residents and emergency services.
- Heritage doors and windows are reinstated as this is a breach of The Heritage Impact and Design and Access Statement in application 23/502781 and compromised to The Yalding Conservation Area and neighbours amenity.

25/502555/FULL

Hatchgate House. Mill Lane

Demolition of side porch, erection of side extension, new front porch, roof alterations and insertion of 3 rooflights and changes to fenestration.

OBJECT

The application site is inaccessible at times of severe flooding with flood water approximately 1m deep in places. Increase in the occupancy of this property could put occupants and emergency services and other lives at risk. It is the planning authority's obligation to ascertain safe access and egress to a flood zone 1 at times of severe flooding.

25/502713/FULL

5 Medway Avenue

Erection of proposed part single storey, part two storey rear and side extension with new front porch, and alteration to fenestration.

NO COMMENT

25/502770/FULL

Wolverley, Vicarage Road

Replacement of roof tiles with natural slate to rear and side elevations and installation of GB-Sol PV slate system to front elevation

NO COMMENT

25/502741/AGRIC

Court Lodge Farm, Kenward Road

Prior notification for erection of a new agricultural building and 4no. storage tanks.

NO COMMENT

25/502759/AGRIC

Court Lodge Farm, J A Worley Ltd, Kenward Road

Prior notification for the creation of an agricultural irrigation reservoir.

NO COMMENT

25/502729/TCA

Alms Houses, Vicarage Road.

Conservation Area Notification to crown reduce two Sycamores to a height of 14m and spread of 12m. Conservation Area Notification to crown reduce two Sycamores to a height of 14m and spread of 12m.

NO COMMENT

25/502883/TPOA

26 Hawthornden Grove, Yalding

Trees are subject to 5023/2016/TPO (W1)- Application to one (T82) Ash tree to fell to 3 meters.

NO COMMENT

25/502929/LAW

1 Lyngs Close, Yalding

Lawful Development Certificate for proposed rear dormer to existing loft conversion and internal alterations.

NO COMMENT

25/502953/LAW

Little Venice Country Park And Marina

Lawful Development Certificate (Proposed) for the stationing of 33(no) caravans for holiday use.

STRONGLY OBJECT

The site is within Flood Zone 3b (functional floodplain) and introducing this constant increase in caravans is unacceptable in respect of the safety of future occupants and emergency service personnel at times of severe flooding. It should be noted the seasonal campsite next door was refused on the grounds of flooding; the application site is permanent and, whilst it is a

holiday park, there are no specified times when the site should be unoccupied meaning there are people on site all year round. A full planning application should be submitted to include a flood risk assessment. There is also no clear access and egress points shown on the plans.

25/502961/AGRIC Little Budds Farm, Gravelly Ways
Prior notification for an agricultural building for the storage of machinery, hay and animal feed.

NO COMMENT

25/502771/LAW Wolverley, Vicarage Road
Lawful Development Certificate for proposed rear dormer window and insertion of 3no. rooflights to front elevation.

NO COMMENT

25/502764/LDCEX 4 Trumans Farm Cottages, Willow Lane
Lawful Development (existing) Use of land as residential garden, siting of shipping containers for domestic storage, erection of garden shed and Greenhouse, and laying of hardstanding.

NO COMMENT

25/502993/FULL Land West Of The Watermill, West Street
Demolition of existing timber storage shed and erection of a detached garage and storage building.

OBJECT

The development is in the open countryside adjacent to the SSSI river Beult. This would represent inappropriate and unjustified encroachment into the open countryside that would result in harm, character, appearance and openness of the area.

If the planning officer is of a mind to approve Councillors ask that it be called into MBC planning committee.

25/503042/FULL Former Syngenta Works, Hampstead Lane
Section 73 - Application for Variation of condition 1 (to allow height increase of eave and ridge heights to Units 1A & 1B) pursuant to application 23/502118/REM for Approval of Reserved Matters (scale, layout, appearance and landscaping sought) for Phase B of the development, comprising erection of 20no. commercial units with associated parking, access and landscaping, pursuant to 19/504910/OUT - Outline application for the redevelopment of the former syngenta works site to provide a new business park of up to 46,447 sqm of B1(c), B2 and B8 accommodation with associated access, parking and infrastructure works. (Access only being sought).

NO COMMENT

25/503069/LAW Court Lodge Farm, Kenward Road
Lawful Development Certificate for proposed erection of seasonal polytunnels.

Councillors ask for a full planning application to be requested so that Landscaping can be approved to protect the listed building at Kenward House and other adjacent properties.

MBC PLANNING DECISIONS SINCE THE LAST MEETING

25/501805/FULL Moonrakers Darman Lane Laddingford

Demolition of existing conservatory and erection of two storey side extension and part single part two storey rear extension and widening of existing access.

GRANTED

25/501822/FULL Flambards, Laddingford
Erection of an outbuilding.

GRANTED

25/502070/PNEXT 1 Alan's Gardens
Prior notification for a proposed single storey rear extension which: A) Extends by 4.23 metres beyond the rear wall of the original dwelling. B) Has a maximum height of 3.60 metres from the natural ground level. C) Has a height of 3.0 metres at the eaves from the natural ground level.

GRANTED

25/502232/LBC Boathouse, Hampstead Lane
Listed Building Consent for removal of existing thatched roof and replacement with a new one. Repair work to existing roof timbers.

GRANTED

25/502231/FULL Boathouse, Hampstead Lane
Removal of existing thatched roof and replace with the new one. Repair works to roof timbers.

GRANTED

There being no further business the meeting closed at 19.35.

Signed..... Date.....