

**MINUTES OF YALDING PARISH COUNCIL MEETING HELD ON
TUESDAY 01 OCTOBER 2024 AT 7.00 PM IN YALDING VILLAGE HALL**

PRESENT

Geraldine Brown (Chairman)
Tim Chapman (TC)
Andy Sanders (AS)
Joe Westgate (JW)

Leila Bates (LB)
Pip Jamieson(PJ)
Dee Ann Stead (DS)
Kelly Woods (KW)

DECLARATION OF INTENTION TO RECORD PROCEEDINGS

There were none declared.

PUBLIC SESSION

There were three members of the public present who did not wish to speak.

1. APOLOGIES FOR ABSENCE

Councillor Gough sent his apologies due to sickness; these 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 12.2 as he had bills for payment.

2.3. REQUESTS FOR DISPENSATION

None were requested.

2.4. DECLARATION OF ANY GIFTS RECEIVED

None were declared.

3. DECISION TO TAKE AGENDA ITEMS UNDER CLOSED SESSION

Due to principal authority requirements and receipt of sensitive information, it was resolved to take item 22 in Closed Session.

4. TO APPROVE MINUTES OF THE PARISH COUNCIL MEETING HELD ON 03 SEPTEMBER 2024

It was proposed DS seconded TC and unanimously resolved that the minutes be signed as a correct record.

5. MATTERS ARISING FROM THE PREVIOUS MEETINGS

5.1. £10,000 FLOOD PRIZE STILL TO SPEND

The Chairman has met with Grant Booker from Kent Fire & Rescue Service (KFRS) to look at locations for flood gates and awaits his feedback. KFRS have asked for additional information. Grant Brooker has retired from general duties but is still heading-up flood actions. KG has contacted Laddingford Engineering and is going to supply some measurements following which site meetings will be held and quotes prepared.

5.2. FRUIT TREES FOR THE FEN

A site meeting has been held and Maidstone Borough Council (MBC) think they will be able to provide a grant to Medway Valley Countryside Partnership (MVCP) for the work, however permission is required from the land holder. As the management at MVCP is changing in October The Chairman and The Clerk feel that the back end of the year would be a good time have a meeting with all interested parties and look at the whole plan for The Fen.

5.3. TREE SAFETY INSPECTION REPORT

KG has completed most of the smaller work and will ask J L Buttigieg Tree Services to carry out the larger work. Work is in progress.

5.4. POSSIBILITY OF DOUBLE YELLOW LINES OUTSIDE LYNGS FARM HOUSE

It has been suggested it be added to The Highways Improvement Plan (HIP) before The Clerk reports it on the portal, The Chairman will ask the new Highways Engineer for support.

5.5. REPAIR/REPLACE LITTER BIN ON THE LEES VILLAGE END

KG has repaired this litter bin however one of the two at the other end of The Lees is now unlockable. The Clerk has reported however MBC (John Edwards) say that it is not their bin. KG will see if he can fix it.

5.6. REQUEST FOR A LARGE LITTER BIN IN THE AREA OF HAMPSTEAD LOCK

It was suggested that an extra bin is required on the wide footway close to the entrance to the lock. Councillors agreed that it was a sensible location, The Clerk has asked her contact at MBC how to request a bin at this location, but as yet has had no reply, The Chair will ask John Edwards if he will support a bin in this location.

6. POLICE MATTERS

PC Neil Denny has asked if there are any issues that they may not be aware of.

7. COUNTY COUNCILLOR'S REPORT

Councillor Webb did not send his apologies and did not send a report.

8. BOROUGH COUNCILLOR'S REPORT

All of the Borough Councillors sent their apologies.

Councillor Russell and Councillor Summersgill sent a report which was circulated.

9. BIODIVERSITY AND CLIMATE CHANGE

A reminder that this should be considered in all of the items that follow on the agenda.

10. PLANNING

10.1. TO DECLARE ANY LOBBYING OR FORMAL REPRESENTATION

None was declared.

10.2. PLANNING APPLICATIONS RESPONDED TO IN LINE WITH A SCHEME OF DELEGATION.

To confirm the following planning application was responded to in line with a Scheme of Delegation and the response is included at the end of the minutes of this meeting.

- 24/503126/LAWPRO - Little Venice Country Park And Marina, Hampstead Lane

10.3. PLANNING APPLICATIONS

Planning responses are recorded at the end of the minutes.

10.4. YALDING ENTERPRISE PARK (YEP)

The next Development Delivery Group Meeting will be held on 10th October 2024.

10.5. 23/505139/OUT - LAND NORTH & SOUTH OF KENWARD ROAD – APPEAL

The inquiry has been held. Yalding Parish Council (YPC) appeared as an objector and attended the site visit. The Chairman updated the meeting. The Inspectors decision is awaited.

10.6. ANY OTHER PLANNING MATTER

There were no other planning matters.

11. POLICIES AND PROCEDURES

- Motion to update the tree policy

PJ proposed, KW seconded and it was resolved unanimously to update the tree policy to state that where YPC have to fell a tree it will be replaced by replanting a tree as and if appropriate, not necessarily in the same location.

12. FINANCE

12.1. SCHEME OF DELEGATION

To confirm that bills to the value of £1077.58, Chairman's expenses for the Parish Picnic were approved in line with the Scheme of Delegation and are included in the bills list attached to the minutes of this meeting.

TC pointed out that he had also been paid for Parish Picnic expenses which were approved in line with the Scheme of Delegation, The Clerk agreed and these are included in the bills list attached to the minutes of this meeting.

12.2. MOTION TO PAY BILLS

It was proposed JW, seconded DS and resolved by all to pay bills totalling £22,124.73 exclusive of VAT as per attached list. AS did not vote as he had declared an interest.

12.3. CONFIRM RECEIPTS

A list of receipts, as attached, totalling £2,395.69 was circulated.

12.4. MONTHLY SPEND AGAINST BUDGET REVIEW

There was no spend that was not in the budget or had been previously approved.

12.5. BANK BALANCES AS AT THE END OF AUGUST 2024

The bank balance for the end of August 2024 was confirmed

- Nat west - £124,511.08
- Unity Trust - £500.00

12.6. BANK RECONCILIATIONS FOR AUGUST 2024 HAVE BEEN SIGNED AS CORRECT

It was confirmed that the bank reconciliations for August 2024 have been signed as correct.

12.7. TO ACCEPT THE ANNUAL AUDIT RETURN EXTERNAL AUDITOR REPORT

The external audit has been completed and published.

There were no issues reported, no 'except for matters' and no 'minor scope for improvement.'

KW proposed, DS seconded and all agreed the report be accepted.

12.8. TO APPROVE THE PURCHASE OF THE 13TH EDITION OF CHARLES ARNOLD BAKER AT A COST OF £140 FROM THE TRAINING BUDGET

It was agreed to purchase the latest edition of Charles Arnold Baker from the training budget

12.9. MOTION TO PURCHASE A NEW TRAILER WITH CAGE AND BOX UP TO THE VALUE OF £2000

It was noted that the two trailers used by KG for many years in conjunction with his work on open spaces and other Parish maintenance and for carrying road closure signs and barriers at times of flood, did not belong to YPC and both were now in a bad state of repair. It was proposed TC, seconded AS and the motion was resolved unanimously.

12.10. MOTION TO PURCHASE NEW STRIMMER UP TO THE VALUE OF £350

It was proposed JW, seconded KW and the motion was resolved unanimously.

13. OPEN SPACES

13.1. REPORTS FOLLOWING VISUAL UPDATE INSPECTIONS OF COUNCIL OWNED LAND

13.1.1. THE LEES

Inspection complete, no new issues.

13.1.2. THE LEES PICNIC AREA

Inspection complete, no new issues.

13.1.3. YALDING VILLAGE GREEN AND VERGES

Inspection complete, no new issues.

Water continues to run off of the green and freezing on the footway. A quote for the repair of £3230 has been accepted. KG is writing a detailed specification for the contractor and it looks like we will need to apply for a Traffic Regulation Order (TRO) from Kent County Council (KCC). KG is progressing.

13.1.4. JUBILEE FIELD

Inspection complete, no new issues.

13.1.5. LADDINGFORD VERGES

Inspection complete, no new issues.

13.1.6. THE KINTONS

Inspection complete, no new issues.

13.1.7. FOWLE HALL GREEN

Inspection complete, no new issues.

13.1.8. THE TATT

Inspection complete, no new issues.

MVCP management plan needs to be updated.

13.2. PLAY AREA INSPECTIONS

13.2.1. JUBILEE FIELD

Inspection complete, no new issues.

13.2.2. THE KINTONS

Inspection complete, no new issues.

13.2.3. DIFIBRILLATORS

Inspection complete, no new issues.

13.3. OTHER ISSUES

13.3.1. KINTONS OVERFLOW CAR PARK UPDATE INCLUDING FENCING AND GATES

The work is complete. Having carried out the work KG has made some changes which means the pedestrian gates are no longer required. KG would like to order some signs.

13.3.2. THE FEN GRAZING – UPDATE

Kent Wildlife Trust (KWT) have sent a proposal which has been circulated; it was discussed and agreed that this was a very expensive option. However, the report has explained why it has been impossible to attract a grazier and it appears it is no longer cost neutral to place cattle there and actually costs the grazier.

AS suggested that he may be able to put his cattle on The Fen at a cost but significantly below that of KWT and it was agreed to put the matter on the agenda of the next meeting, where AS will need to declare an interest.

13.3.3. LAND ADJACENT TO THE KINTON, TO DISCUSS OFFER OF USE

The land owner has now written to say he would not support a football pitch and now that he has seen the new overflow carpark he has withdrawn his offer. The Chairman suggested we ask what else he might consider.

13.3.4. THE CRICKET CLUB – TO DISCUSS THE IMPLICATIONS OF PLI AND RISK ASSESSMENTS NOT BEING PROVIDED.

The Cricket Club are always late in supplying the documentation required for the use of The Kintons. It has now been provided for 2024, at the end of the season. The Chairman proposed that they are advised that for the 2025 season, they will not be permitted to play or practice cricket or use the kiosk until we have the 2025 Risk Assessment and Public Liability Insurance.

13.4. REQUEST TO USE PARISH LAND

The Boathouse has asked to use the winter hard standing for parking whilst the lifting bridge is closed. KG will sort out opening and closing.

14. HIGHWAYS

14.1. KENT COUNTY COUNCIL (KCC)

- **REVIEW THE HIGHWAYS LIST** - The list has been updated and circulated. Councillors to advise any additions.
- **WATER ON VICARAGE ROAD** - A letter has been written to the Leader of the Council to express YPC's concerns and to demand that the matter be addressed.

14.2. OTHER HIGHWAY ISSUES

COUNTRYSIDE PROPERTIES (NOW THE VISTRY GROUP) - PARKING AND TRAFFIC CALMING, VICARAGE ROAD

The Vistry Group Operations Director has still not yet replied on outstanding issues, has been chased.

The KCC Development Manager has not yet reported back on the current position with the traffic calming.

14.3. TOWN BRIDGE

PJ gave an update on the investigation into numberplate recognition equipment available to allow a toll bridge. Councillors agreed that this investigation should continue.

The bridge has had its regular inspection and the Chairman has written to ask for a copy.

The Chairman will try and get the data from the YEP traffic survey.

It was also suggested that a chicane on the north of the river prioritising traffic going up the hill. These ideas were put to the Land North and South appeal inspector however as KCC Highways had not requested anything other than a one-month free bus pass for the new residents, then there was nothing that could be added at this stage. YPC requested at the appeal that the bridge be included in the various monitoring of the highways during construction.

15. FLOODING

15.1. GENERAL UPDATE

YPC and Collier Street Parish Council have asked for replacement road closed signs as many have been damaged especially as Hampstead Lane and Maidstone Road have been regularly closed. This has caused an argument between KCC departments as to whose budget this is coming from. This has not been resolved and a letter will be sent to Simon Jones KCC Corporate Director for Growth, Environment and Transport.

A complete review of flood actions in Yalding and Laddingford to include flood wardens, flood gates and road closures has commenced.

15.2. SUBSTATION UPDATE

The matter is still ongoing.

YPC will write to Golding Homes and MBC. The Chairman will also chase UKPower.

16. NEIGHBOURHOOD PLAN (NhP)

DH has asked for background information. AS has agreed to speak with him as has Patricia Robbins, former lead of steering group. The Clerk has written to DH agreeing to a meeting.

17. EVENTS

17.1. PARISH PICNIC DEBRIEF

Despite the weather there was an excellent turnout and a lovely event.

17.2. REMEMBRANCE PARADE – 10 NOVEMBER 2024

The Clerk has applied and paid for the road closure.

The Chairman will confirm speakers. An ex or serving military person is required.

17.3. YULETIDE MARKET – 07 DECEMBER 2024

The Clerk has applied for the road closure and check all the documents.

18. CONSULTATIONS

Two consultations has been received this month.

- MBC Discretionary Rate Relief Consultation – 31 October 2024
- Maidstone Resident Survey 2024 – 20 October 2024

Both have been sent out on Parish News

Last Month

- Local Transport Plan 5 - Striking the Balance – 08.10.2024 - DS has reviewed, everything looks sensible but there is no guarantee that it will be implemented as it relies on government funding. The Chair has sent out on Parish News. No further action is required.

19. CORRESPONDENCE

19.1. KENT ASSOCIATION OF LOCAL COUNCILS (KALC) AND NATIONAL ASSOCIATION OF LOCAL COUNCIL (NALC) CORRESPONDENCE RECEIVED AND CIRCULATED

- NALC Chief Executive's bulletin – 05,12,19,26 September 2024
- KALC bulletin – 05,10,26 September 2024

19.2. OTHER GENERAL CORRESPONDENCE RECEIVED AND CIRCULATED

There was no other general correspondence received.

19.3. OTHER CORRESPONDENCE RECEIVED BEFORE THE MEETING

No further correspondence has been received.

20. OTHER PARISH BUSINESS

20.1. TO AGREE ANY WELCOME LETTERS THAT NEED TO BE SENT

There was none.

21. PARISH MATTERS

- To confirm 80th Anniversary VE Day Street Party Sunday 4 May 2025. This is bank holiday weekend.

COMMENTS ON PLANNING APPLICATIONS

24/503126/LAWPRO

Little Venice Country Park And Marina, Hampstead Lane

Lawful Development Certificate (Proposed) for the stationing of 15(no) caravans for holiday use.

OBJECT

This site is situated adjacent to the River Medway in a Flood Zone 3 and is subject to serious flooding. The site has to be evacuated regularly even during small floods as its proximity to the river makes

it extremely vulnerable and susceptible to flooding. This needs to be considered seriously when allowing further occupation of the site.

Whilst 10 caravans was allowed on appeal in November 2023, Councillor's would question how many more caravans can be added before it would constitute a material change of use on the land and negatively impact on the character and appearance of the open countryside.

This application must be rejected and a planning application submitted in order that:

- the statutory consultees are able to make comments, most particularly the Environment Agency**
- an updated flood risk assessment is submitted**
- conditions may be applied to any planning permission**
- restricted use of the site may be enforced**

24/503619/FULL

Chapel House Laddingford

Erection of a single-storey rear extension.

NO COMMENT

24/503744/FULL

Alanfred, Vicarage Road

Section 73 - Application for minor material amendment to approved plans condition 2 (to allow changes to roof layout and fenestration) pursuant to 23/503840/FULL for - Erection of rear single storey extension, and changes to fenestration.

NO COMMENT

24/503344/FULL

The George, Benover Road

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.

STRONGLY OBJECT

Yalding Parish Council strongly objects to this planning application and requests that it be dealt with in conjunction with the deferred application for the ground floor MA/24/502003. We would also request that both of these applications are dealt with by a senior planning officer.

Flooding - The application site is situated in a Flood Zone 3 and is therefore subject to excessive flooding of the ground floor and surrounding external areas. It is impossible at times of heavy flood to find any safe access to or egress from the property to a Flood Zone 1. Although the application site has previously been in residential use, this was one family as landlords of the public house and the current owner led us to believe that it would continue to be a family home. It is unacceptable on public safety grounds to add further occupants as separate units exposing them and members of the emergency services to serious risk in times of flood. It would be difficult to be aware of each unit receiving alerts/evacuating and there is no accommodation set aside for the manager to live on site.

Location - Is this a suitable use for a building in a rural village and a Conservation Area with limited access to public transport services and few employment opportunities? The Maidstone Borough Council (MBC) planning portal has many applications for Houses of Multiple

Occupation (HMO), none of which are currently in a rural location such as Yalding.

The bus services predominantly only go into Maidstone with the last service arriving in the village at 6.30pm; there is only one bus per week to Paddock Wood, which is Yalding's rural service centre. There is no bus link to the train station, which is a substantial distance to walk along unlit roads and a single-track vehicular bridge with no footway. Yalding residents are, therefore, reliant in the motor car for shopping, work and access to leisure facilities.

Car Parking - Having established above that residents will be reliant on the use of a motor car, there is inadequate parking shown in the application for a possible 10 cars. The bays marked out in the drawings are identical to those shown in planning application 24/502003 for customers of the ground floor of the property. The provision of parking has been allocated twice and is therefore inadequate.

HMO Regulations - The bathrooms are not in accordance with HMO regulations:

- For every Five tenants: one toilet with a wash basin in addition to a main bathroom or bathrooms is required**
- All baths, showers, wash hand basins, and sinks must have taps supplying cold water and a constant supply of hot water.**
- Bathrooms must be suitably heated and ventilated.**
- Bathrooms and toilets must be of adequate size and layout.**

We believe there should be two bathrooms plus two separate toilets with wash basins. Plans show one bathroom and a shower room, which we understand from the previous owner is small but does include a toilet and wash basin. However, there are no facilities on the second floor.

There are also potential issues with the kitchen facilities and Councillors question whether the building meets MBC's minimum amenity standards.

Licencing and Management of the HMO - It is mandatory for all HMOs to be licenced by the Local Authority and managed appropriately. Based on the applicant's previous record of complete disregard of regulations and conditions, Councillors question how it can be guaranteed the facility will be adequately managed. It is likely that the HMO could attract vulnerable residents who need a particular level of landlord care.

Access and Egress to and from the building - The applicant has removed the internal staircase to the ground floor of the building although it is still shown on the application plan. This means the future residents are completely reliant on one set of fire escape style stairs on the outside of the building. These stairs are not in a good state of repair and there appears to be a gate at the foot of the stairway. Councillors question if this is a legal and safe means of access and egress to and from the building and is of particular concern when you add in the fact that escape is likely at a time of severe flooding.

Refuse - The state of the site is a currently disgrace in Yalding Conservation Area and has been reported to the local authority as a

filthy site. The applicant does not keep any standard of maintenance, the bins are not being emptied, the garden is not being maintained, and the general shop considering it is a new conversion is very scruffy showing a lack of regard for the Conservation Area or respect of neighbours. Adding refuse from a further ten residents will exacerbate an already filthy condition.

Misuse of the Building -This building is in Yalding Conservation area and is a building of historical interest. In the applicant's own words, it is an important community asset. Until recently it was run as a much loved and successful public house with the landlord's family living above. A real community asset.

Recent Planning History - Under application 23/502781, the current applicant applied for the change of use for ground floor Sui Generis (Public House) to Class E restaurant part retail facilities with ancillary Sui Generis use (Takeaway) he also indicated that he would make it his family home.

This has not been delivered, planning conditions have been ignored and the ground floor has been gutted to provide a convenience store. There is now just a very untidy, light polluting shop with no indication of a café or takeaway ever opening. The applicant is under planning enforcement for complete disregard of his planning conditions. This is now subject to deferred planning application 24/502003 which contains some very misleading information. The applicant also applied for an alcohol licence with a completely different set of plans. Therefore, there are three different sets of plans that have been submitted to the local authority none of which represent what is currently in place.

Anti-Social Behaviour - Whilst not entirely a planning consideration, there is a lot of new anti-social behaviour in the abandoned garden and carpark, which have been reported to the police. This adds to the complexity of carefully managing of any HMO.

Neighbouring Properties - This proposal will add cumulatively to the demonstrable harm to the character, appearance, amenity and functioning of the surrounding area and/or the enjoyment of their properties by adjoining residential occupiers which predominately consists of family housing with many listed buildings and in a Conservation Area.

Decision - Councillors feel that this refusal already applied to another HMO application is relevant to this one:

The proposal is contrary to Maidstone Local Plan Review policy LPRSP2 2b) (in that the proposal does not contribute positively to local character) contrary to policy LPRHOU 2i) (appearance of the proposal would significantly harm the character of the building and the character and amenity of the area). contrary to policy LPRSP15 (2) with a failure to respond positively to local character, contrary to LPRSP15 (4) in terms of the negative impact on the public realm and contrary to LPRSP15 (13) in that the measures for the storage of waste would be inadequate on the grounds of visual impact and amenity. The proposal is contrary to advice in the NPPF (2023) section 12 that seeks to create places which promote health and well-being, with a high standard of amenity for existing and future users.

Should the Planning Officer be of a mind to recommend approval of the application, Councillors ask that it be called into the MBC planning committee.

24/503798/TCA

The Hop Barn, High Street, Yalding

Conservation area notification: T2 - Tulip: Reduce height by up to 2m. Reduce Lateral branches by 1m to shape and balance. Leaving a crown with a lateral spread of 5m and a height of 7m. T3 - Maple: Reduce height by thinning 20%. Leaving a crown with a lateral spread of 4.5m and a height of 5m. T4 - Cherry: Reduce height by up to 2m. Reduce lateral growth by up to 2m to shape and balance, leaving a crown with a lateral spread of 4m and a height of 6m. T5 - Dogwood: Reduce height by 2ft leaving a height of 6ft.

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NO COMMENT

MBC PLANNING DECISIONS SINCE LAST MEETING

24/501836/FULL

Kenward Trust Head Office, Kenward Road

Installation of 204 ground mounted pv solar panels.

REFUSED

24/502256/FULL

The Stables, Willow Lane

Installation of a heat exchanger and hot water tank storage.

GRANTED

24/502677/FULL

Riverloft, Benover Road

Erection of a raised balcony to the rear.

GRANTED

24/503304/TCA

Yalding Depot, Hampstead Lane

Conservation area notification to reduce one Common Ash (T3) to 6.5m height and 5m spread, reduce one Common Ash (T4) to 7m height and 5m spread and removal of one Field Maple (T35).

NO OBJECTION RAISED

There being no further business the meeting closed at 21:26.

Signed.....

Date.....