

# Bilsington Parish Council

## Ashford, KENT

[www.bilsingtonpc.kentparishes.gov.uk](http://www.bilsingtonpc.kentparishes.gov.uk)



*Parish Clerk*

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TO: MEMBERS OF BILSINGTON PARISH COUNCIL

**YOU ARE HEREBY SUMMONED** to attend the Annual meeting of the PARISH COUNCIL to be held on **THURSDAY 27 JULY 2017 at 7.30 pm** in Bilsington Village Hall, Bilsington.

*Peter Setterfield*

Peter Setterfield MILCM  
Clerk to the Council

### A G E N D A

1. **Ashford Borough Councillor's Report**
2. **Kent County Councillor's Report**
3. **To receive apologies for absence**
4. **To receive any declarations of interest from Members**  
Members are invited to declare disclosable pecuniary interests in items on the agenda as required by the Bilsington Parish Council Code of Conduct for Members and by the Localism Act 2011.
5. **To approve the minutes of the meeting held on 8 May 2017.**
6. **PLANNING MATTERS:**  
**PLANNING APPLICATION 17/1022/AS – CHESTNUT LODGE, BONNINGTON ROAD** – Proposed part single storey/ part first floor rear extension.

7. **FINANCE:**

To approve the schedule of payments to be circulated at the meeting.

As indicated at the last meeting of the Parish Council a grant application was to be made to the Department for Communities and Local Government from the Transparency Fund to enable the purchase of a new scanner/printer and laptop and associated software to enable the Parish Council to remain compliant. This application has been made and was successful with sufficient funds made available to purchase what is required at no expense to the Parish Council.

The Parish Council asset register has been updated to reflect the purchase of the new equipment.

8. **VILLAGE HALL:**

An update will be given at the meeting.

9. **TRANSFORMING HEALTH AND SOCIAL CARE IN KENT AND MEDWAY:**

The Parish Clerk recently attended a listening event organised by the NHS for its plans to transform Health and Social Care in Kent. An update will be given at the meeting.

10. **OPEN LETTER TO THE MINISTER OF STATE FOR HOUSING AND PLANNING:**

**REPORT:** The Ashford Area Committee of the Kent Association of Local Councils at its recent meeting discussed at length the Borough Council Local Plan 2030. From these discussions it was felt that the present National Planning Policy Framework afforded little or no protection to Rural communities.

It was decided that an open letter to the Minister of State for Housing and Planning should be produced and signed by as many of the Parishes within the Ashford Borough as possible. A draft of this letter is attached to the Agenda for reference. By agreeing to sign this letter the Parish Council is not going against the planning policy of Ashford Borough Council, the letter is simply asking for the National Planning Policy Framework to be amended to provide a measure of protection with future development.

**RECOMMENDATIONS:**

1. **To receive and note the report.**
2. **To agree to sign the letter to the Minister of State for Planning and Housing.**

11. **ASHFORD BOROUGH COUNCIL LOCAL PLAN 2030 – CONSULTATION:**  
**REPORT BPC/17/05** brings to the attention of councillors and update on the Ashford Borough Council Local Plan 2030 and the latest public consultation on it.

12. **PORTA CABIN, WILLS LANE:**  
An update will be given at the meeting.

13. **BROADBAND:**  
Rural Broadband is an area of National concern as many areas are directly affected by this. Kent County Council have provided funding to BT to improve rural connectivity throughout the County.

According to the Kent County Council website the project commenced in the Spring of 2016 with a planned end date of Summer 2018. Using the availability checker it quotes that they are consulting with Openreach to see how they can deliver to Bilsington.

14. **SPEED INDICATOR DEVICE:**  
An update will be given at the meeting.

15. **BILSINGTON CROSSROADS:**  
**REPORT:** the Parish Council is very concerned that despite repeated requests to Kent Highways there are still two Stop Lines on Ashford Road, albeit in the wrong place. The crossroads are at the heart of the Village Conservation area and this unnecessary road marking detracts from the appearance of this area.

It has been suggested that daffodils are planted on the southern side of the crossroads to improve appearance during the spring time each year. Should the Parish Council wish to take this forward permission will have to be sought from Kent Highways and the Borough Council.

16. **PARKING:**  
The Parish Council have received complaints about “inappropriate” parking in the vicinity of the crossroads. The subject of residents parking has appeared at various times on the Parish Council agenda over the years and possible areas where parking could be made available. However, to date nothing appears to have come forward to the planning stage and the number of cars seeking parking spaces does not seem to be declining.

Section 57 of the Road Traffic Regulation Act 1984 gives Parish Councils the Power to provide parking spaces. It would seem logical in the first instance to contact Kent Highways to ascertain the ownership of appropriate land and to obtain an estimate of the likely cost to determine the level of funds required and the possible sources.

17. **VILLAGE ENTRY GATES:**

The installation of gateway facilities in rural villages is governed by the Traffic Calming Regulations 1993 and the Department of Transport have issued a Traffic Advisory Leaflet on the subject.

Should the Parish Council wish to investigate this as a possible future project early reference to Kent Highways needs to be made as they will have to undertake the necessary survey to ensure that the locations meet the strict guidelines. Kent Highways will also be able to provide guidance on the design of the gates and determine if they can be locally sourced.

18. **ALLOTMENTS:**

**REPORT:** The Parish Council have a Statutory Obligation to provide land to be used as allotments, when six (or more) council tax payers make a request and, to acquire land for that purpose.

The Small Holdings and Allotments Act 1908 states

- if the council of any parish are of opinion that there is a demand for allotments the council shall provide a sufficient number of allotments, and shall let such allotments to persons resident in the parish, and desiring to take the same.
- On a representation in writing to the council of any parish, by any six registered parliamentary electors resident in the parish, that the circumstances of the parish are such that it is the duty of the council to take proceedings under this part of the Act therein, the council shall take such representation into consideration.

**Powers of councils in relation to the provision of allotments:**

- The council of a parish may, for the purpose of providing allotments, by agreement purchase or take on lease land, whether situate within or without the parish or borough, or may purchase such land compulsorily in accordance with the provisions of this Act and of the Acquisition of Land Act 1981.

**RECOMMENDATIONS:**

1. **To receive and note the report.**
2. **To receive any representations for the provision of allotments.**
3. **Should six or more written representations be received to authorise the Parish Clerk to seek guidance from the Borough Council on the acquisition of a suitable site.**

19. **GENERAL DATA PROTECTION REGULATION:**

The General Data Protection Regulation will require all Parish Councils to allocate significant resource and effort to comply, especially for smaller councils. The National Association of Local Councils Policy Committee recently discussed this and agreed to write to the government about resource implications and the potential impact on the precept.

The Parish Council will be kept advised of progress on this subject. It should be noted that all of the policies and procedures required to fulfil the requirements of the Regulations must be in place before May 2018 as well as a full audit of all the data held by the Parish Council.

20. **BILSINGTON PARISH COUNCIL WEBSITE:**

An update will be given at the meeting.

21. **VILLAGE NEWS UPDATE:**

An update will be given at the meeting.

22. **FLY TIPPING IN THE PARISH:**

An update will be given at the meeting.

23. **FUTURE PLANS:**

The Parish Council is asked to consider any projects or events that it wishes to progress during the remainder of the current financial year and any projects for consideration at the next meeting when an indication of costs can be provided prior to the setting of next year's budget.

24. **CORRESPONDENCE:**

- a. Rural Economy Spotlight
- b. Rural Vulnerability service – Fuel Poverty
- c. Rural Vulnerability service – Rural Broadband
- d. Rural Vulnerability Service – Rural Transport
- e. Spotlight on Older People
- f. Spotlight on Rural Health
- g. Rural Network Services – weekly news digest 3<sup>rd</sup> July 2017
- h. Rural Network Services – weekly news digest 5<sup>th</sup> June 2017
- i. Rural Network Services – weekly news digest 10<sup>th</sup> July 2017
- j. Rural Network Services – weekly news digest 12<sup>th</sup> June 2017
- k. Rural Network Services – weekly news digest 17<sup>th</sup> July 2017
- l. Rural Network Services – weekly news digest 19<sup>th</sup> June 2017
- m. Rural Network Services – weekly news digest 22<sup>nd</sup> May 2017
- n. Rural Network Services – weekly news digest 26<sup>th</sup> June 2017
- o. Rural Network Services – weekly news digest 30<sup>th</sup> May 2017

25. **ANY OTHER BUSINESS:**

## Draft Briefing and Lobbying 'Open Letter' to the Minister of State for Housing and Planning

We the undersigned Parishes within the Ashford Borough consider that national planning legislation and policy have become far too heavily weighted in favour of speculative developers and against proper democratic local policy-led decision making.

Smaller communities with valuable rural assets deserve to be better protected from developers, who can manipulate planning laws to acquire piecemeal many of our vital, and often historic, green spaces, cumulatively making huge changes to our environment and local infrastructure. Such spaces would be planned into larger developments, but in villages we are very vulnerable to unplanned losses of land and amenity, with no benefit to the community in return.

We recognise that there will inevitably be more house building (though the methods for deciding where and how many need more local consultation and review) and we simply ask that this is achieved without destroying our heritage.

The following matters must be rectified so that elected local borough and district council members, (as well as town and parish members) can better make decisions which fully comply with locally led planning policies within the national framework:

1. The NPPF paragraph 14 needs to be altered so that failure to meet the requirement for a five year housing land supply does not automatically override existing and otherwise valid planning policies. A recent Supreme Court judgment (10 May 2017)<sup>1</sup> goes a long way towards restoring the proper weight which should be given to such policies, whether or not there is a 5-year housing land supply shortfall. Government should be leading the way to implement this interpretation within the drive for development, so that growth does not lead to the destruction of healthy, currently sustainable communities.
2. Furthermore, the question and test of **sustainability** in these circumstances needs to be better defined nationally and then maintained during planning decisions. Either a site is sustainable or it is not, therefore it should not be a variable position depending on whether or not there is a technical housing shortfall. This is particularly the case where developers are stockpiling land and not building on it, thereby reducing the LPA's housing land supply - a patently unfair situation. LPAs must have the power to impose financial penalties on developers that gain permission to build, and then choose not to complete the building programme within a defined time.
3. Through the Government White Paper, the NPPF needs to redress the imbalance of weight given to developers. Rather than penalise or criticise LPAs for apparent slowness in bringing land forward, we now have a situation where economic constraints slowed or even stopped house building in the slump period of 2008/9, for example. Nonetheless, LPAs are expected to deliver from a developer-created historical shortfall that has carried on, year on year regardless of the variations in the country's economic situation. This cannot be right.
4. The method for determining the actual five year housing land supply needs to be radically revised. It is a rolling year on year requirement which dates back too far. It also seems to be fuelled more by developer profits - building homes for commuters - than by local needs. The 'required numbers' for ABC are not currently within our purview [to be ascertained]; however

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<sup>1</sup> insert case reference/link and add as appendix to full dossier

we do know that the historical knock-on effect makes it very difficult for LPAs (not just Ashford) to ever catch up. A line needs to be drawn in the sand whereby realistic numbers are created taking account of historical economic up and down turns. **This must also include true and accurate assessments of local needs.**

5. The NPPF also needs to provide that **all** villages and defined communities have a **proper “green belt”** of land that is completely protected from any form of encroaching development. This will maintain separation and definition of that village and community and ensure that conurbations and other defined developments do not absorb such communities without suitable green space. In its proposed Local Plan, Ashford Borough Council has introduced the concept of preventing 'coalescence' of villages and their satellite areas by protecting a surrounding area of open countryside, which we commend.
6. Neighbourhood Plans, Village Envelopes and Village Landscape Protection Policies need to be given full weight through the Local Plan process, irrespective of any perceived shortage in the five year supply. Again, the Supreme Court judgment seems to give clear guidance for decision makers by narrowing the scope of the term 'policies for the supply of housing'.
7. The NPPF also needs to emphasise the importance of assessing and taking account of the **cumulative effects** of major development on existing local and nearby communities and the often serious impact on fragile rural infrastructure.
8. When assessing development, the NPPF must afford greater importance and weight to village heritage and local green spaces in terms of their value to local communities and their visitors. Our part of Kent contains some of the loveliest rural landscapes in the UK, and Ashford Borough has more listed buildings than any other in the county. Their loss, or the destruction of their settings, would be catastrophic for new as well as established communities here, and for the many local businesses which depend on visitor numbers for their success.
9. Parish and Town Councils know their areas. Pressures on LPAs to aim for a 5-year housing supply mean that sites are being included in local plans primarily because they appear deliverable within this time frame, whether or not they are the most suitable. In the spirit of localism, LPAs should be encouraged to openly consult with Parish and Town Councils where there is intention to impose development, whether in terms of specific sites or rates of growth.
10. Due weight must be given to the adverse impacts on the quality of life of residents when LPAs give priority for development that delivers housing within five years regardless of any necessary infrastructure, including medical and schooling needs, roads, drainage and broadband networks. There is a real danger of creating upmarket versions of sink estates, with no jobs, no cohesive communities and no effective support services, all in the name of 'growth'.
11. Rural communities used to grow organically. We recognise that our area is expected to deliver a disproportionate amount of new housing, compared with existing numbers, over a relatively short time. We will work with government to achieve this and are confident that it will be quicker and more cost-effective to consult and collaborate locally, before finalising plans for expansion, than to try and impose inappropriate development on existing communities, which will ultimately be unsustainable.

We ask the Minister of State to consider these points as a matter of urgency in order to assist with a much-needed adjustment of the government's national housing policy, to allow all local communities to take their rightful and constructive place in the future development of our nation.

Signed by the following Parish and Town Councils:

<b>Council</b>	<b>Name</b>	<b>Designation</b>
Aldington & Bonnington		
Appledore		
Bethersden		
Biddenden		
Bilsington		
Boughton Aluph		
Brabourne		
Brook		
Challock		
Charing		
Chilham		
Crundale		
Eastwell		
Egerton		
Godmersham		
Great Chart with Singleton		
Hastingleigh		
High Halden		
Hothfield		
Kenardington		
Kingsnorth		
Little Chart		
Mersham		
Molash		
Newenden		
Orlestone		
Pluckley		
Rolvenden		
Ruckinge		
Sevington		
Shadoxhurst		
Smarden		
Smeeth		
Stanhope		
Stone-cum-Ebony		

Tenterden		
Warehorne		
Westwell		
Wittersham		
Woodchurch		
Wye (with Hinxhill)		

*draft 10.07.17*

# Bilsington Parish Council

## Ashford, KENT

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**Report Number: BPC/17/05**

**To:** Bilsington Parish Council  
**Date:** 27 July 2017  
**Status:** Public Report for Decision  
**From:** Parish Clerk & Responsible Financial Officer

**Subject:** ASHFORD BOROUGH COUNCIL LOCAL PLAN 2030

**SUMMARY:** This report brings to the attention of Councillors an update on the progress of the Ashford Borough Council Local Plan 2030 and the latest public consultation on it.

### **REASON FOR RECOMMENDATIONS:**

The Council needs to be aware of what the Borough Council is including in the Local plan as well as making comment on any aspects of the proposals that have a direct bearing on the Parish in terms of planning.

### **RECOMMENDATIONS:**

- 1. To receive and note Report BPC/17/05.**
- 2. To determine the comments that the Parish Council wish to make in representation to the proposals of the Borough Council.**

## **1. INTRODUCTION**

Borough Councillor J Martin has sent the following communication to the Clerk with regard to the Local Plan Consultation:

*I just wanted to clarify a few issues going forward that have come up recently at Parish meetings.*

*If a site has been selected for consideration in the Draft local plan and sent out to the public for consultation, the Council have clearly stated that this site passes their sustainability tests and should be considered for allocation. The Council are expected to deliver the numbers and if not in one area, the numbers will simply have to be imposed in another area.*

*It is possible for residents to request a reduction in the size of a site, and this may be considered by the Council. The numbers reduced, would then have to be delivered in another part of the ward. This may appear to be a good strategy to reduce numbers, however, it is to be considered with caution, as I will explain.*

*So too, the strategy of recommending alternative sites in the area, in the hope that the Council will listen and change the sites.*

*We have, and will continue to have, even after the local plan publication, a 5 year housing land supply problem. We have not built enough homes for some considerable time, and the government is now expecting the shortfall and our existing plan to be delivered without fail.*

*In the light of this, **any site with a number allocation that is reduced, runs the danger of the inspectorate overruling the Council, and the numbers being delivered in any case. At best case, the number will be delivered by a windfall application- why? because the 5 year housing land supply argument will still apply and supersedes all other arguments in the NPPF.***

***Suggesting alternative sites to the Council is also extremely risky. The Council may well agree, but the inspectorate, whose aim is to deliver as much of the 5 year housing shortfall as possible, could override this. What could then happen is that the inspectorate decides to allocate both sites- given that the Council would have clearly demonstrated - that they consider both sites acceptable and having passed all the sustainability test.***

*Naturally, it is always possible that the Inspectorate listens to such arguments and does grant the wishes to reduce numbers and switch sites, but I would advise caution when considering such an approach.*

*Given that this has now come up in 2 Parish meetings, and that residents have contacted me about this, I again spoke, this morning, with the planning department at ABC to gain clarification, that the above is correct, and I just wanted to pass this on.*

*Our best bet in enacting any kind of change, is to encourage as many residents as possible to place measured comments whether in supporting or opposing the plan and its contents, and to base this on the **effect development has on the area, both positively and negatively**, as is the aim of the Landscape Protection Policy.*

## **2. ASHFORD BOROUGH COUNCIL LOCAL PLAN 2030 – MAIN CHANGES CONSULTATION:**

The Parish Council did not submit any comments at the initial consultation stage as there were no sites submitted within the plan for the Parish. Clearly from the email received from the Borough Councillor there are many Parishes that have been allocated sites for residential development, although at this stage Bilsington has remained free from such allocation.

Having said that neighbouring Parishes have received allocations which will have an impact on the Parish in terms of infrastructure. Whilst it is clear that there will be no reduction in the allocations there are a number of policies included in the plan which govern the way in which the Borough Council determine planning applications and the requirements that they look for from developments.

The policies within the plan have been looked at and the following have been highlighted as being a potential threat to the Parish and consideration should be given to making a representation to the Borough Council in an attempt to have the policy modified so as to be of potential benefit.

Infrastructure Delivery Plan: sets out the required to be delivered in support of planning applications and indicates how and when this might be achieved. In terms of power the Borough Council have consulted with Network Power for electricity and Southern Gas Networks for gas supply, it would appear that they have overlooked the fact that a lot of the rural parishes do no benefit from mains gas and are reliant upon alternative fuel sources for heating, such as LPG, oil and solid fuel all of which have to be brought in by road.

On the topic of roads it would seem that no growth calculations have been made or traffic flows checked as highlighted in other policy documents, with regard to bus services the Borough Council acknowledge that there are operators other than Stagecoach and that Kent County Council subsidise many of the rural routes, but the document reflects upon meetings that KCC were not present at. Whilst many improvements can be made to the infrastructure funding for these is by way of S106 agreements and the finance is not released until a certain predetermined stage of the development has been reached, therefore it can happen that the infrastructure is not in place for the first part of the development.

#### Policy SP1 – Strategic Objectives:

The vision of the policy is to be commended however, one of the main changes to the policy is to promote access to a wide choice of easy to use sustainable transport modes, including bus, train, cycling, and walking to encourage as much non-car based travel as possible and to promote healthier lifestyles. It would be difficult to see how this policy could be enforced in the rural area given the current infrastructure.

Following an assessment of the main road corridors which enter Ashford and the ability to maximise the use of the public transport services to Ashford this presents- identified a few appropriately scaled housing sites near to Ashford along the A20. These sites have excellent access to the main local road network. The potential impact on the alternative routes from these sites has not been considered as part of the policy. Road users will look for the nearest route to their destination not what the planners are stating as the exit route.

#### Policy EMP2 – loss or redevelopment of employment sites and premises.

The amended policy states: proposals for the loss or redevelopment of existing employment sites or premises in Tenterden or the villages listed in Policy HOU4 (Bilsington is listed) will not be permitted unless;

- a. They are replaced with the same-sized or larger sites or premises within or adjoining the same rural settlement, or at the nearest rural service centre, or
- b. It has been shown that the unit has remained unlet or for sale for a substantial period for all appropriate types of class B employment uses, despite genuine and sustained attempts to let or sell it on reasonable terms, and furthermore, that it will not be viable to redevelop the site for

any appropriate types of alternative employment use within the plan period.

The Parish Council last year considered such an application for the redevelopment of a scrap yard that had seen its usage reduced to a minimum, the County Council supported the application as it would deal with many complaints received over the years, however the Borough Council refused permission. To date the owners have not indicated if they are to appeal the decision, increase usage of the yard or to market the site as a going concern. The latter two options would have a direct impact on traffic flows on narrow rural roads.

**2. SUMMARY:**

Whilst the Local Plan 2030 does not directly impact upon the Parish in terms of building allocation the policies contained within the plan do open the Parish to possible development in the future. Whilst the Parish itself does not provide for sustainable development its locality to other villages does pave the way for applications to be made.

The Parish Council should not lose sight of the fact that Shepway District Council who border the Parish are also making plans for future development. Any such proposals should be considered by the Council and representation made for S106 contributions to enhance the facilities for residents.

**3. CONTACT OFFICER AND BACKGROUND DOCUMENTS**

If you have any queries about this report please contact The Responsible Financial Officer of the Council

Tel 07714300986 or email [bilsingtonclerk@gmail.com](mailto:bilsingtonclerk@gmail.com)

Background Documents:

None.