

SHORNE PARISH COUNCIL

**Minutes of the Planning & Highways Committee
Meeting held on 12 March 2015 in Shorne Village Hall**

PRESENT Mr R Theobald (Chairman)
Mr J Bugg
Mr D Hart
Mr R Cooper
Mr G Dent
Mr R Lane
Mrs S Lindley

ALSO IN Ms Becky Tunbridge - Warren Farm
ATTENDANCE Kurt Gozzett - Warren Farm
Jonathan Bolton - Synergie

The Chairman suspended Standing Orders in order to allow the visitors to speak.

70 **Matters Raised by Visitors**

The Chairman explained that the Clerk had been contacted by Ms Tunbridge advising that Mr Jonathan Bolton of Synergie, the planning consultants for Mr Kurt Gozzett, (the owner of Warren Farm), had asked to meet with members of the Council to discuss the proposed Play School at Warren Farm. The Chairman had suggested that Mr Bolton attend the next meeting of the Planning & Highways Committee. Unfortunately the meeting had to be postponed by a week due to the Chairman having to go the Shetlands on business.

Members agreed to suspend standing orders to enable Warren Farm to be discussed as the first item. Mr Bolton, Mr Gozzett and Ms Tunbridge were introduced.

Mr Gozzett opened the discussion by enquiring about the planning application by R.S Skips Ltd for the erection of a replacement building to provide a covered working area, provision of trommel and picking station at the existing waste transfer station, former Unit 4, at Apex Business Park.

The Chairman commented that he and the Vice Chairman had visited the site because the Council was concerned at a possible intensification in the use of the site and increased traffic. It appeared that the proposal was to improve conditions for the workforce and the Council had not raised an objection.

Mr Gozzett commented that they occupied the adjoining premises and suffered from nuisance and contaminated rainwater runoff from R.S Skips. Mr Gozzett's comments were noted.

Mr Gozzett's planning consultant, Mr Jonathan Bolton then referred to the Play School proposal. He commented that 'this had been put on hold for the moment'. Mr Bolton sought clarification of the Council's position regarding possible residential use. The Chairman explained that parishioners generally considered that the building had been erected under false pretences in that the orchard had never been tended and there was little agricultural activity on the site. The Council had opposed a change of use since this would in effect be allowing the erection of a dwelling in the Green Belt. There had been two applications, both had been the subject of appeal and both appeals had been dismissed.

The Council recognised that the land was now being used for agriculture. Livestock was being kept on the site and this may give rise to a need for husbandry and a presence of someone living on the site. It was noted there was an extant planning consent for the erection of a Barn on the site. Mr Bolton interjected and comment that this could be re-sited further west where the second entrance had been constructed. This was noted.

The Chairman continued that with the holding being actively farmed and the more sensitive area being safeguarded, local opinion was becoming more sympathetic to a residential use.

As the Borough Councillor, he would prefer the use linked to the agricultural use. The Council needed justification for changing its stance. Asked by Mr Bolton if this would mean an agricultural tie, he replied that he did not think a tie would be appropriate.

Mr Bugg asked if Mr Gozzett planned to live in the 'Apple Store'. Mr Gozzett commented that that was his original intention. He was at present living in Tanyard Hill. Mr Bugg continued that there was concern that there might be pressure to develop more of the site. What was Mr Gozzett's long term plan? Mr Gozzett was uncertain regarding the proposed long-term use of the site.

The Chairman commented that the Council valued the site as Green Belt and would wish to ensure that it remained undeveloped.

The Chairman thanked the party for their attendance and they left the meeting around 8.30pm. Matters then returned to the meeting.

71 Minutes of the Meeting held on 22 January 2015

The minutes were AGREED as a true record.

72 PLANNING MATTERS

Planning Applications

The Borough Council had given notice of two applications for planning permission affecting the Parish and it was resolved that the following observations and representa-

tions be made:-

GR/2015/148
Mrs Louise Lawrence

Erection of a rear conservatory. 10 St Katherines Cottages, Forge Lane, Shorne, Kent DA12 3DR

NO OBJECTION

GR/2015/171
Mr & Mrs Kramer

Demolition of the two existing conservatories on the side and rear elevations and erection of a two storey rear extension incorporating three dormer windows in the side (north) roof slope to form an enlarged kitchen/diner; with the addition of a first floor level to form bedroom, ensuite bathroom and dressing room and creation of first floor balcony; erection of a single storey front extension to form porch and utility room, laying out three parking spaces and conversion of existing detached garage at rear to a summer house. 9 Gazelle Glade, Shorne West, Kent DA12 4PU.

The Council wishes make the following representations.

The Council wishes to register AN OBJECTION to the application on the following grounds:-

- (a) The Council considers the proposals would result in over-development of the site.
- (b) The proposal would have the effect of transforming the existing bungalow into a house, out of charier with the area which is predominantly single storey bungalows .
- (c) If permitted, it would set a precedent making it difficult to control similar development in the area.

73 **Report of Action taken under Standing Order 4(a)(ii)**
Schedule of Planning Applications dealt with by the
Chairman in Consultation with Members

GR/2015/067
Mr & Mrs S Haman

Erection of a replacement four bedroom dwelling. Gwendon, Pear Tree Lane, Shorne, Kent.

The Council wishes make the following representations.

The Council wishes to register an OBJECTION to the application on the following grounds:-

- (a) The Council considers the proposed dwelling to be out of character with the area which is typified by buildings of traditional construction using traditional materials.
- (b) The Council considers the proposed building is poorly designed and lacking form and continuity.

The Council notes that Part 7 of the National Planning Guidance refers to the requirement for good design and whilst the Council notes paragraph 60, the Council would draw attention to the criteria listed in paragraph 58.

GR/2015/068
Mr G Bullas

Erection of part two storey and part single storey extension on the eastern side elevation, single storey extension on the western side elevation and erection of a front porch. St Govans, Swillers Lane, Shorne, Kent.

The Council wishes to make the following representations:-

The Council has NO OBJECTION to the application.

- (a) The Council has reasons to believe that a foul sewer runs under the proposed extension on the eastern side.

Mr Theobald declared an interest and took no part in the discussions.

GR/2015/076
Mr Kamal Khan

Erection of front, side and rear extensions at roof level to form two additional bedrooms with ensuite bathrooms and dressing rooms in the roof space incorporating a dormer window in the front and rear slopes. Construction of a Juliet balcony and additional window on the side elevation, erection of a chimney stack on the side elevation and erection of an infill front extension to form porch, in substitution of a scheme previously granted planning perm-

ission under Ref: GR/2014/0004. 37 Davys Place,
Shorne West, Kent DA12 4DL.

The Council wishes make the following representations.

The Council wishes to register an OBJECTION to the application on the following grounds:-

- (a) The Council considers the proposed development would result in over-development of the site and is likely to have an adverse impact on the amenity of the adjoining occupiers.
- (b) The Council notes that the original bungalow has already been extensively extended and in the Council's view, a limit needs to be set. The proposals, if executed, would result in a building of excessive size for the site, out of character with the area.

The Council notes that the northern end of Davys Place is on higher ground than the remainder of the development and was developed in the form of bungalows to provide balance to the development.

The Borough Council's Case Officer contacted the Chairman, providing marked up drawings, indicating the changes from the application already granted. These referred to the position of windows and similar features but did not affect the overall envelope. As a result the Chairman did not consider the Parish Council's objection could be sustained and said the objection would be withdrawn.

GR/2015/191
Mr Nick Atkins

Erection of rear and side extensions at first floor level to form three bedrooms and bathroom and erection of single storey front extension to existing garage. Merston, Green Farm Lane, Shorne, Kent.

NO OBJECTION

GR/2015/210
Mr Valbinder Singh

Change of use of agricultural land into the residential curtilage of the property. Midfields, Gravesend Road, Shorne, Kent DA12 3JL.

The Council wishes make the following

representations:-

The Council wishes to register an OBJECTION to the application on the following grounds:-

- (a) The land in question is in the open countryside and subject to Green Belt policy.
- (b) If permitted, the change of use could result in development on the extended land affecting the openness of the Green Belt
- (c) If permitted, it would set a precedent making it difficult to control the annexation of agricultural land elsewhere in the countryside in the Green belt

The Council notes that on the Location Plan submitted as part of the application 1910 indicates the land west of the dwelling as being the subject of the application and the land east of the application as being in the ownership of the applicant. The Council considers both parcels of land to be outside the curtilage of the bungalow. If at any time the land outside the curtilage of the bungalow has been used for quasi residential purposes, this has been unlawful and in the Council's view should be the subject of enforcement action.

Not Part of the representations

The Parish Council would like to add an informative to their representation.

The bungalow is an isolated building in agricultural land on the south side of the Gravesend Road. It was erected to house the farm Bailiff who worked on the farm owned by Mr F W Barns, a fruiterer and agricultural wholesaler based in the Medway Towns. When the farm was sold and purchased by the trustees of Colyer Ferguson, the bungalow was sold separately with a small curtilage. When the bungalow was purchased it was re-named Midfields. The new tenants of the farm grubbed up the previous orchard and the land became arable.

The Parish Council has it on good authority that the land on each side of the Bungalow may have been in the ownership of the previous occupiers but it

has never been used as part of the garden.

74 Decisions of the Borough Council

- (a) GR/2014/877 - The Old Parsonage, Butchers Hill - PERMITTED

75 Notices of Appeal

There were no Notices of Appeal.

76 Lower Thames Crossing (59)

Nothing further to report.

77 Gravesham Local Plan Core Strategy (formerly the LDF) (60)

No further information on this.

78 Airport Strategy (61)

Nothing further to report.

79 Warren Farm (62)

Dealt with under Minute 70.

80 Neighbourhood Planning - Green Belt Review

There has been sight of a letter sent to all parishes by the CPRE asking them to sign up to tell Gravesham Borough Council not to carry out the Green Belt Review and to object to this. A copy of the letter will be circulated to members. It was reported that the land next to the See Ho Public House has gone to a judicial review. The Borough Council was left to defend their black and white decision.

HIGHWAY MATTERS

81 Accident Reports (63)

- (a) Mr Theobald reported that on that day, Thursday, 12 March 2015, in the afternoon, near the entrance to Overblow House, a van was on its side in Tanyard Hill.
- (b) Mr Lane reported that on 3 March 2015 he noticed the 'Give Way' sign was knocked down in Brewers Road. When he saw it, the damaged Ford Ka was still where it had come to a stop on the grass verge. The Clerk has already reported this to Lisa Gillham, the Highway Manager on 5 March 2015. It was noted on 12 March 2015 that a temporary 'Give Way' sign had now been erected.

82 The Ridgeway - Footway Extension (64)

Mr Theobald had now identified the drawing giving details of the County Council's Land

ownership. The site had been inspected and it was noted that there were poles supporting overhead lines which would obstruct a footway at the western end. Mr Theobald will send details of the drawings to members.

83 Condition of Roads in the Parish (65)

A complaint had been received regarding the condition of carriageway in Green Farm Lane. This is to be investigated.

84 Road Drainage (66)

Mill Hill Lane and Forge Lane blocked gullies - Following a lack of response a location plan and photographs had been forwarded to KCC identifying the gullies that need clearing. KCC has given an assurance that these would be cleared.

85 Pot Holes (67)

- (a) Marling Way - Mr Hart commented that there were pot holes in Marling Way and that he would report these to Kent Highways.
- (b) The Street - there were early signs of pot holes that were developing in The Street and these would be kept under observation.
- (c) Racefield Close - there is a pothole at the entrance.
- (d) A2 Bridge (Brewers Road) - there are several potholes.

86 Golf Club Access Road - Dangerous Driving and Noise Nuisance (68)

Nothing further to report.

87 Matters Raised by Members

- (a) Landscaping strip off Michael Gardens (69a) - Mr Hart suggested that a site meeting should be held for new members to be familiarised with the situation. This was agreed. Mr Theobald is to make the arrangements.
- (b) Marling Way flooding (69b) - Mr Hart was asked if there had been flooding following recent rain (during which Shorne Crossroads was flooded). Mr Hart commented that the road had not flooded which may be due to the fact that KCC had cleaned out the gullies and soakaways or it may be that the rain was less intense. The situation needs to be monitored.
- (c) Mr Hart had previously mentioned lorries being parked on the A2 by Nell's Café and also near The Inn on the Lake. Mr Lane reported that an eye witness saw a pedestrian crossing the A2. It was agreed to write to the Highways Agency about this. Mr Lane will provide a draft letter and the details as to where the letter should be sent.

- (d) Mr Lane reported that there is an apparently abandoned Saab car on the Shorne/Cobham exit slip road from the coastbound carriageway of the A2. It has now been there for 3 days.
- (e) Mr Bugg had previously reported a Skanska van parked on the recreation ground. He advised that the van is still there. It needs to be established who the owner is and whether the vehicle belongs to one of the keyholders to the gate at the recreation ground.

There being no further business, the meeting closed at 9.20pm.

Notes of Meeting Regarding Park Pale
Tuesday, 20th January 2015 at Rochester & Cobham Golf Club

Attendees:	SA	-	Kent Police
	CD	-	Kent Police
	DG	-	Kent Police
	JA	-	Rochester & Cobham Golf Course
	RG	-	Harlex Haulage Services Limited
	BL	-	Resident / Shorne Parish Council
	PC	-	Resident
	AJ	-	Resident
	EG	-	Resident
	SL	-	Resident
	MG	-	Resident
	GD	-	Shorne Parish Council
	RT	-	Shorne Parish Council / Gravesham BC Councillor
	BW	-	KCC Highways
Apologies:	CC	-	Kent Police

1.0 Introduction

BL stated that the primary purpose of this meeting is to discuss the noise and nuisance caused by the motorcyclists and car drivers who perform stunts and speed trials in Park Pale, the impact this is having on residents and local businesses, and to find out what is being done to resolve the situation.

2.0 Overview of disturbances and residents' concerns

Park Pale road was built approximately 15 years ago, when the A2 junction for the Wainscott Bypass was constructed. Before then, access to Park Pale farm and the Golf Club was directly off the A2. Although it is an adopted highway, there is an official regulatory road sign at the entrance to Park Pale which prohibits all motor vehicles, except for access to the haulage yard or to the golf club.

BL reported that local residents have suffered disturbances from motorcyclists and motorists using Park Pale for speed trials, etc., for several years. However, last summer it became intolerable. Residents were subjected to noise at all times of the day, and often well into the night and early hours of the morning, disturbing sleep as well as making it impossible to enjoy their weekends, or to live a normal life indoors. Even if windows were kept closed, the noise penetrated the best double-glazing.

Clubs of motorcyclists were using Park Pale as a regular meeting place, as well as individuals using the highway for speed trials, racing, wheelies, donuts, and other stunts. On one occasion, 56 motorbikes were counted. The road surface was covered with tyre marks, giving clear evidence of their activities. They even painted start and finish lines across the road.

BL said that we can understand why the bikers and car racers might have thought that Park Pale was an ideal location for their speed trials and other activities; it is a long, fairly straight road, adjacent to the A2, apparently with no houses nearby.

However, although the road appears to be remote, it is quite close to properties in Pondfield Lane and Bowesden Lane. The areas worst affected include Pondfield Lane, Bowesden Lane, the Ridgeway, and parts of Racefield Close and Woodlands Lane. RT stated that the noise can be heard in Shorne village. BL reported residents in Cobham have also raised the issue with their local parish council.

BL stated that he personally reported disturbances to the Police on a dozen occasions during September and October alone, at times ranging from 3 o'clock in the afternoon up to 02.20 in the morning. This was during a period when the nights were already drawing in and the frequency of disturbances was starting to diminish. BL said that he has lost count of the number of times disturbances were experienced in June, July, and August, and the many other occasions when he just didn't bother to report it.

Many other residents are also affected by the noise. BL reported that in September he delivered leaflets to some of the areas worst affected, and almost every person he spoke expressed their concern regarding the noise.

There have been occasions when residents have gone to Park Pale to try to speak to the offenders. It is a dangerous and intimidating experience. BL stated that he was confronted by oncoming cars racing at extremely high speed, and one resident found herself completely surrounded by motorcyclists, revving their bikes and doing wheelies all around her. Park Pale is a no-go area in the summer.

Living near Park Pale was described as like living next to Brands Hatch, the difference being that racing at Brands Hatch stops when it gets dark.

Telephoning 101 to report the matter is often an extremely frustrating experience. Not only do callers have to listen to the Chief Constable's speech every time, and then often wait for a call agent to answer, but each time we get through it's as though the disturbance is being reported for the very first time. The call agent has no knowledge of the history or where Park Pale is. It is no wonder many residents just give up or don't bother to report it any more.

To give the Police their credit, they usually attend when they receive complaints, although any respite is often short-lived, as the noise often resumes soon after the Police have left the scene.

However, residents are frustrated by the apparent lack of any effective action to permanently deter the offenders. Residents discussed this at the meeting of Shorne Parish Council on 25th September attended by CD and DG, but residents do not feel that any significant progress has been made.

Although residents are aware of one instance when a small number of Section 59 notices were issued, they are not aware of any follow-up enforcement. In fact residents have been informed that action has taken the form of "giving advice" and "ongoing constructive dialogue" with the offenders.

Residents consider that the motorists and motorcyclists are committing an offence just by their presence in Park Pale, since it is an offence under the Road Traffic Act to ignore the regulatory vehicle prohibition road sign without a valid reason. In any event, it was felt that there may be occasions when the Police have arrived and caught offenders in the act of speeding, racing, or carrying out other dangerous stunts.

BL stated that he does not believe that this situation would be tolerated if drivers and motorcyclists ignored the mandatory vehicle prohibition signs in Gravesend town centre, for example, or if they created noise and carried out stunts and wheelies outside the Police Station in Thames Way. Park Pale should be treated no differently.

BL summarised the residents' main concerns as follows:

- We are totally fed up with having our lives and sleep disrupted by the noise from Park Pale;
- We feel intimidated by the actions of some of the individuals using Park Pale. It has become a no-go area in the summer;
- We are exasperated when we have to report disturbances on 101;
- We are frustrated by the lack of effective action to deter the offenders, such as prosecutions; "Advice" and "constructive dialogue" is not the answer.
- We feel that it is a waste of valuable police resources to constantly have to send patrols to Park Pale in response to complaints, and to take up the time of officers like CD and DG;
- We want to know what's being done to resolve the situation;
- We need an effective solution before next summer.

3.0 Traffic concerns and impact on Harlex Haulage Limited

RG shares the concerns of the residents and stated that there did not appear to be any discernible pattern to when the disturbances occur during the summer, other than the regular Wednesday 'club night', and disturbances can be experienced at any time. RG has witnessed motorbikes and cars travelling at extremely high speed in Park Pale, and is especially concerned about the risk of a collision between a Harlex lorry and a speeding motorbike or car, and the consequences this could have on himself as MD and on the business in general.

RG reported that a vehicle has damaged the CTRL (High Speed Rail) fence, and another off-road vehicle has driven up and down the embankment in Park Pale close to the A2. Both of these instances could have had very serious consequences.

4.0 Impact on Rochester & Cobham Golf Club and Members

JA emphasised the danger and risk to members approaching and leaving the golf club caused by bikers, especially on Wednesday evenings. The bikers congregate in groups around the junction of Park Pale with the golf club approach road, and JA has personally

experienced a near miss when passing through the group to enter Park Pale, when he narrowly missed a motorbike traveling at high speed along Park Pale.

JA reported that the bikers and car drivers also encroach onto the golf club property, causing damage to grass, and he is concerned that their activities will extend to the golf club car park.

JA stated that his main concerns are the aesthetic appearance of tyre marks on Park Pale, the intimidating presence of the bikers which could deter members, and the risks to members entering and leaving the golf club.

RG stated that Harlex and the golf club have to clear up the litter left by the bikers and car drivers.

5.0 General discussion

AJ pointed out that the bikers and motorists are not all youngsters. Many of them are quite mature.

RT expressed concern about the road racing, the hill-climbing carried out by an off-road vehicle on the embankment, and the risk that these activities could result in encroachment onto the A2. RT asked whether ‘sleeping policemen’ might be a solution, although he acknowledged that this might create other issues.

EG thought that sleeping policemen may be regarded as a positive challenge by the bikers and drivers, and did not consider it would deter them. RH considered that sleeping policemen would not be advisable, and could result in other complaints about noise from haulage lorries negotiating the humps.

MG mentioned the possible link between the damage to the embankment in Park Pale and the damage to lawns in Woodlands Lane. He also echoed the frustrations when dialling 101.

6.0 Actions taken by the Police

SA outlined the context in which the Police are operating. Policing budgets have been reduced by £60m and this has resulted in a significant reduction in resources. This means that the main priorities are Threat, Risk, and Harm. Nevertheless, SA stated that the issues at Park Pale are regarded as important.

BL said that we recognise the resource constraints that the Police are acting under, which is why we want a permanent solution. We do not want the Police to have to waste their time and resources by constantly having to respond to the many calls made by residents.

SA said that they had reviewed their records but could only find 28 calls recorded over a 5 month period last year. Residents thought that this underestimated the true figure. *(Post-meeting note; subsequent checks by CD have identified gaps in police log. The figure quoted will be re-assessed)*

SA stated that the requirement for taking action at Park Pale includes evidence capture and the burden of proof. The quality of images taken by general CCTV cameras is not good enough, especially at night.

SA reported that he had obtained £6k funding for the procurement of two specialist covert HD cameras for the Gravesham area, which can provide day or night evidence capture, including registration numbers. He intends to deploy one at Park Pale in due course.

BL asked whether the camera would be permanent or temporary. If temporary, then now may not be the best time for deployment as winter activity is considerably reduced. *(Post-meeting note; CD advises that the camera is intended to be in place for spring/summer 2015)*

SA stated that Section 59 Warning Notices are a good tool, but they have not been followed up to date. While Section 59 Warning Notices can be issued on reasonable grounds, enforcement by vehicle seizure may require further proof. Nevertheless, SA stated that Section 59 Notices will be enforced on repeat offenders.

RT mentioned the possibility of a Public Spaces Protection Order which can be exercised by the Local Authority.

CD stated that another option is a Public Dispersal Order which is valid for 48 hours. This has been used on one occasion.

BL asked why not just issue fixed penalty notices to anyone found in Park Pale without valid reason for contravening the mandatory vehicle prohibition sign. BL considered that repeated fines would be an effective deterrent.

CD said that it was not clear whether a valid TRO (traffic regulation order) was in place for the vehicle prohibition. RT advised caution on reliance on the effectiveness of the vehicle prohibition if there is no proper TRO in place. BW undertook to check the validity of the TRO and to advise CD and BL *(see below)*.

PC stated that in the event that there is no valid TRO, or the existing sign was not enforceable, then we need to know what needs to be done to get an appropriate TRO in place. RG stated that neither Harlex nor Rochester & Cobham Golf Club should be publicised in any future application due to the risk of reprisals.

(Post-meeting note; KCC Highways and the Police have confirmed that a valid TRO is in place so the vehicle prohibition road sign is enforceable)

7.0 Feedback and Reporting

It was agreed that Bob Lane and Carli Deacon would be the principal points of contact for reporting feedback and progress.

8.0 Any Other Business

EG raised the issue of parking in Park Pale, whether by motorists avoiding the parking fees in Shorne Country Park, or by large lorries which appear to be using Park Pale as a

rest spot. This restricts the width of the road and increases the risk of a potential accident as people get in and out of their vehicles.

A discussion took place regarding the 101 facility, and whether it would be possible to have a special code which would identify Park Pale. SA said it may be possible to use a master CAD reference number, but this would not identify the history. *(Post-meeting note; CD has advised that it is not appropriate to have a master CAD reference. However comments have been added to the location section so when calling residents need to give the location as Park Pale and say it is in relation to nuisance vehicles. This will generate the comments which should mean the call handler does not need to ask the caller as many questions about the issue)*

9.0 Follow-up Meeting

It was agreed that a follow-up meeting would be arranged to monitor progress and the effectiveness of the actions taken, probably in the summer. BL and CD to liaise to arrange.

10.0 Site Visit

The meeting adjourned to Park Pale. RG discussed highway issues with BW, including the advisability of extending the barriers to prevent off-road vehicles from driving up and down the embankment. BW stated that it is unlikely to be possible due to KCC budget constraints. RG said that Harlex would be prepared to consider carrying out the work at their own expense. However BW said that the work could only be carried out by KCC-approved contractors.