

Minutes of the meeting of Westbere Parish Council held on Monday 18 July 2022 in Westbere Village Hall at 7.00pm.

Present: Parish Councillors:

Paul Glover (Chairman),
Sylvia Harlow (Vice Chairman),
Kathy Wilson
Clerk to the Council, Amanda Sparkes.
15 residents (14 for part of the meeting only)

62. Chairman's welcome

Cllr P Glover welcomed everyone to the meeting.

63. Apologies for absence

Apologies for absence were noted from Parish Cllr Ken Dekker (at a CCC event with the Mayor). And also from Canterbury City Councillor Georgina Glover, Canterbury City Councillor Louise Harvey-Quirke and Kent County Cllr Alan Marsh.

64. Vacancies on the council

There has been no interest in the three parish councillor vacancies on the council.

65. Declarations of Disclosable Pecuniary Interests

None.

66. Minutes of the last meeting held 20 June 2022

Cllr Harlow proposed, Cllr Wilson seconded and the Minutes were approved as a true record of the meeting and the Chairman duly signed them.

67. Chairman's Report and Councillors' Reports

Cllr Kathy Wilson

Cllr Wilson advised a village hall meeting had been held last week. There is a quiz set for 01 October 2022 and the Christmas Dinner will be on 10 December 2022.

She explained that she had met the owner of part of the land at Roseacre on the A28 Island Road – he owns the fenced section (the other part of the land has a separate owner). CCC has insisted on an archaeological dig at a cost of £5k. The owner wanted to put sewage treatment on site but has been told he must connect to the sewage pipe on the opposite side of the road, which will require traffic management. The council has also installed a new street light which impedes the view when exiting by vehicle from his plot.

Cllr Sylvia Harlow

Cllr Harlow advised that there have been some new Bird sightings in the village. She has photos and is yet to identify them. There have been various flocks of birds in new different locations. Cllr Wilson commented that limpets could restrict building if nesting.

Cllr Paul Glover

Cllr P Glover advised the parish council is still chasing the sweeping of the village regime. Drains have been inspected and marked up for attention. There is a gas mains replacement currently in Church Lane replacing the old steel pipe to a plastic main.

He had no update on the faster broadband, although a resident commented that they had seen and spoken to an Openreach employee putting in digital boxes and he had commented that the timescale for provision should be by Christmas.

68. Adjournment of the meeting

This part of the meeting was afforded around 30 minutes.

Cllr P. Glover explained copies of the parish council's representation about the glamping business had been shared with residents at the meeting. The more people that put in an objection the better. The deadline for comments to CCC is 29 July.

The parish council's draft response will be tweaked based on residents' comments and information. It can be read under Planning in these Minutes below.

A resident explained WVPS is to review its draft response at its meeting on 20 July.

Cllr G Glover has confirmed she will call in the application to go to committee to give residents a chance to book to speak.

A resident alleged that the livery stable(s) has people living in them – the Clerk will contact a CCC enforcement officer to advise and/or seek update of any prior report of this.

A resident advised that the police were called on 17 July 2022 as a 14 year old boy was being filmed by people on the livery site with a view to intimidate – the family at Golden Hills Farm are often being filmed and there have been six different reports to the police with case numbers. The police advised the family to put up cameras and suggested that the next step is restraining orders because of criminal harassment.

A resident commented that the village's streetlights are non-uniform, and some are not working and some are permanently on. They did not have specific locations. Cllr P. Glover offered to check these.

A resident advised that a tree is now resting on a power line in Westbere Lane – Cllr P. Glover agreed to investigate this.

The meeting continued.

69. Canterbury City Councillor Georgina Glover

CCC Cllr G Glover had given apologies for having to attend a separate CCC meeting but had sent the following report:

Sturry Road Park & Ride - This is now closed as from the 1st July and is for a two-year period.

From Friday, 1st July the report procedure for Canenco help desk will have transferred to Civica, the procedure will go directly to Canenco. This should provide our residents with a more efficient service when reporting missed bins or complaints.

The first planning application for the Canterbury City Council Office move to Whitefriars has been submitted and the Council Offices at Military Road are now up for sale.

Ukraine Families – there are 139 host families within our district – CCC has inspected 116 houses and there are now 81 families living in our district. On a note – Necessary Furniture are assisting CCC with a number of families who are resident in the area and in private rented accommodation.

The Sustainable Warmth Grants for house improvement is coming to an end – these were available for insulation/double glazing etc. Applications needed to be made direct to the City Council.

Consultations are still available for residents to comment – Street Trading in the City Centre & Canterbury Conservation Area Appraisal and Management Plan.

CCC Changes in how it is run –

1. Cabinet have met once and the next meeting is on the 14 July; one of the subjects is the Council has agreed to save the trees in St George's Street;
2. Scrutiny and Overview has taken place – main agenda item was Taxis and the change in licencing;
3. Scrutiny Sub-Committee has taken place – main agenda was Community Safety Policy;
4. All the meetings are available for members of the public to attend – most are held at 19.00 hours.

Council Offices at Military Road – from 1st July available for the public to visit but only by appointment – they are open on Monday, Wednesday & Fridays from 10 am to 2 p.m. The actual building is now up for sale pending the CCC move to offices in the Whitefriars.

Rough Sleepers – there is an increase in Canterbury – officers are out nightly to help individuals. Funding has been allocated by the City Council and officers will be out this week due to the very hot nights. The Council Severe Weather Emergency Protocol has kicked in which will result in Catching Lives extending their opening hours including the weekend, and the sleepers will be provided with refillable water bottles, sun cream, hats and safety advice.

Energy Grants – 41,000 have been paid out but 8,000 have still not claimed.

Rate Rebate – there is still some 600 queries of residents who have not been paid out but 50,000 properties in bands A to D have received their rebates.

Waste Recycling – CCC is trying to increase recycling of waste which is not contaminated and this is one of the big problems. Green and Red bins are available for purchase for £10. Any damaged bins are now automatically replaced free of charge.

The Commonwealth Games Baton – this came to Canterbury and there are pictures on the CCC Website.

Strategic Grant Applications - will shortly be available for submission of organisations' applications, I have made a request that the amount of funds in the budget for this should be increased as many organisations have suffered whilst being in closedown with COVID restrictions.

For information: Biodiversity Working Group: The group has met three times and one of our challenges is to identify areas to increase wildlife and diversity of trees and plants.

The Draft new Canterbury Conservation Area Appraisal and Management Plan is out from consultation

Planning:- Few planning applications have come forward recently which are major – we will have to watch this when the Draft Plan is produced by Canterbury City Council. The main one for Westbere is the Glamping Application for which I shall be informing the planning department to call this in. This will provide opportunities for members of the public to speak as will I.

Georgina A Glover Ward Councillor.

70. Planning

New applications:

CA/22/01388 - Walnut Tree Livery, Bushy Hill Road, Westbere, CT2 0HE

Retrospective application for change of use of land to campsite in addition to existing use for livery/horse keeping.

The applicant has diversified her business at Bushy Hill Livery to include camping activities on two small areas of the site. On the one area, closest to Bushy Hill Road six "glamping" tents have been set up, on the other area, remote from the road a small area is used by the Scout Movement for camping.

These two areas are accessed via the Bushy Hill Road right of way access past Golden Hill Farm.

If planning permission is granted the use will be regulated by site licensing requirements under S269 of the Public Health Act 1936, limiting usage to a maximum of 60 days in any year with not more than 42 days consecutive use in any year.

RESOLVED the following as Westbere Parish Council's representation to this application:

CA/22/01388 - Walnut Tree Livery, Bushy Hill Road, Westbere, CT2 0HE

Retrospective application for change of use of land to campsite in addition to existing use for livery/horse keeping.

Westbere Parish Council is wholly opposed to this retrospective application, on several grounds, detailed below. There has been resident attendance at recent parish council meetings, with all of those in attendance objecting to the use of this site as a "Glamping business" or camp site.

The word 'campsite' in the application description gives an immediate cause for concern – the definition of the word campsite is not reflective of the actual glamping and scout camping activities currently taking place and which form the basis of this retrospective application and the contents of the Planning Statement. A 'campsite' could include the use of large motorhomes and/or static caravans in the future, and this must be resisted as the rural roads of the village are completely unsuitable and will not cope.

Introduction

Westbere village is a small village and designated in the current Canterbury District Local Plan as a hamlet in the Rural Settlement Hierarchy for development.

The vast majority of the village lies within a Conservation Area as shown on Attachment A.

The proposed areas for development are marked on Attachment A.

As can be seen, "Glamping" (which has the 6 tents together with portaloos, 2 mobile showers, a children's' playground, inflatable hot tub and stand-alone pool) encroaches slightly upon the Westbere Conservation Area and adjoins it on two sides. It also adjoins 3 Bushy Hill Road and is very close to other residential dwellings.

As can clearly be seen from Attachment A, both specified means of access to the proposed

development are through the Westbere Conservation Area, past local residences and close to residential dwellings.

As this is a retrospective planning application (the campsite has been up and running since 22 April 2022), it is important to note that the objections set out in this document are based on **actual** experience of the camp site operating.

Points of Objection

1. The Planning Statement in support of the Application contains incorrect statements:
 - I. The associated Planning Statement (at 3.4) asserts that "the camping and glamping areas do not adjoin any residential properties and are set on a sloping grassed hillside where there are no public rights of way and thus no visual impact and where there is no known ecological interest."

This is not the case. Area 1 (the Glamping Area) adjoins 3 Bushy Hill Road and is extremely close to other residential properties even if it does not directly adjoin them. The main access track to the site goes directly through a cluster of residential properties. In addition, **there are** visual impact and ecological interests, see points 6 and 7 below.

 - II. The associated Planning Statement (at 2.2) says "...are two mobile shower units that drain to a cesspool." We are told by the landowner that there is no cesspool on the site, which raises concerns as to where the showers are draining to. The planning officer must investigate this and clarify the situation as there are possible soil/land contamination issues.
2. The Planning Statement cites a number of parts of the Canterbury District Local Plan and paragraph 84 of the National Planning Policy Framework in support of the Application:
 - a. The Applicant cites EMP2 and EMP14 as supporting the Application due to the creation of employment opportunities.
 - a) As far as we are aware, the proposed development has not provided any additional employment opportunities at all. Before this can be used as a supporting argument, the Applicant should be required to provide documentary evidence of this fact (payroll, payment of NI and/or tax etc.) for those employed by the proposed development.
 - b) In any event, EMP2 would not be applicable as it only applies to "the development of premises...where they are **significant** in terms of the local economy". This is clearly not the case.
 - c) EMP14 also cited, has conditions attached which state that:
 - i. d) **"the use does not significantly increase traffic to the detriment of the area or highway safety"** This is clearly not met, see point 3 below.
 - ii. e) "There is no detrimental impact on **landscape interests**, protected species, **sites or features of nature conservation interest.... or their settings** where appropriate" This is clearly not met, see points 6 and 7 below.
 - f) **"There is no detrimental impact on residential amenity"**. This is clearly not met, see points 4, 5 and 9 below.

EMP14 therefore cannot be used to support the Application.

- b. The Applicant cites TV4, TV7 and TV8 of the Local Plan in support of the Application.
 - a) TV4 is clearly in relation to touring and static caravan tourist sites and is not relevant to the Application which is in respect of camping. It cannot be said it is “akin” to this, it is simply not applicable.
 - b) TV7 supports opportunities to promote tourism and recreation based rural diversification “where they provide jobs for local residents and are of a scale and type appropriate to their location...” As far as we are aware no local jobs are being created (see above) and the proposed development is **not appropriate to the location** (see points 3 to 9 below).
 - c) TV8, which permits, among other things, change of use to provide tourist accommodation or facilities (the most relevant to this application) has a number of conditions that must be met:
 - i. **“The nature....of the proposal is in keeping with the local surroundings”**. This is clearly not met, see point 7 below.
 - ii. **“....the use does not significantly increase traffic to the detriment of the rural area or highway safety...”** This is clearly not met, see point 3 below.
 - iii. **“The development can be implemented with no adverse effect....on the open character of the area”** This is clearly not met, see point 7 below.
 - iv. **“There is no adverse impact on the upon residential amenity”** This is clearly not met, see points 4, 5 and 9 below.
 - v. **“There is no detrimental impact on landscape interests...or sites or features of nature conservation interest..”** This is clearly not met, see points 6 and 7 below.

3. Traffic Generation and Highway Safety

- a) The operation of the business has caused an increase in traffic in the village, particularly affecting both Bushy Hill Road and Walnut Tree Lane where the access points are. There is a lot of local pedestrian traffic on the village’s roads as a lot of people walk their pets or are accessing local transport links or schools. The village’s roads lack pavements, and in the case of Bushy Hill Road (the main access point), has two blind corners. The whole of Westbere Village has a 20mph speed limit on it. The experience so far is that the new visitors are a lot less respectful of the speed limit and driving carefully around the village, causing concern to residents of the village, which can be evidenced by the numerous planning objections citing this point.
- b) Residents of Bushy Hill Road have experienced visitors in vehicles to the site entering onto their driveway and on multiple occasions blocking the entrances to driveways.

4. Noise and Anti-Social Behaviour

- a) Westbere is a quiet village and it is unusual and out of place to hear music or other loud noises that may disturb the residents.
- b) There have been numerous incidents of noise pollution and anti-social behaviour relating to the proposed development. This includes recurring incidents of loud music (sometimes accompanied by singing), fireworks, late-night revellers, and late night traffic in front of residential homes. The music can be heard for long distances, has a loud and intrusive bass and can go on for hours and affect houses some distance away.

- c) Campers returning to the site after an evening out have been particularly noisy, particularly affecting residents closest to the site.
- d) The movement of cars in and out the access points both during the day and at night, including wheel spinning on gravel, is especially intrusive to those living next to the main access track off Bushy Hill Road. We have been told by those residents that cars often stop on the track with their engines running.
- e) The site has no live on-site management facilities (or planning permission for that), so such incidents go unchecked and unnoticed by the site owners. This means that music etc. can go on for hours and there is no one available to speak to in order to rectify the situation.
- f) The above can be evidenced by the numerous planning objections referencing these points.

5. Increase in litter and fly-tipping

There has been a noticeable increase in litter around the village, especially around the access points to the site.

6. Features of Nature Conservation Interest

Attachments B (i) and B (ii) are a wildlife survey undertaken around the village of Westbere and available on the Westbere Parish Council Website. The map which is Attachment B (i) clearly shows an area (Area 1 of the survey – “the fields at the end of Walnut Tree Lane”) that covers the “Glamping” area of the camping site and which was identified in the survey (Attachment B (ii)) as a breeding area for the scarce breeding species Linnet and Yellowhammer. Both of these are on the Birds of Conservation Concern 5 Red List (Attachment C) which means they are of the greatest conservation concern. Fieldfare, listed in the survey as a winter visitor to that site is also a Red List species. Since the survey was undertaken the pressure on these species has only got worse and they are in more need than ever of having breeding and overwintering habitat preserved.

7. Landscape Interests - The impact on public visual amenity

The tents (already operating since April 2022) are fully visible from the footpath leading from the end of Walnut Tree Lane, and which leads directly to the SSSI nature reserve. In addition noise from the campsite can be heard by those using the public footpath. This affects the public amenity of those enjoying the public footpath and the beautiful area of the Stour valley and nearby lakes. The campsite has a detrimental visual impact on the landscape in this idyllic area which contains both a conservation area (the camp site is directly next to the conservation area) and SSSI site as they can be seen from across the valley, lakes, and river.

8. Local economy

The Planning Statement submitted by the applicant states that the “glampers” support the local public house, the Yew Tree. The Yew Tree is opposed to the planning application and has submitted a response online. They state that they have seen no increase in business of any note since the glamping site has been open (it would not be unusual for campers to turn up with their own beverages and food). In addition as a community hub they also objected to the application due to the increase in traffic, the increase in noise and increase in antisocial behaviour.

9. Privacy of local residents

Area 1 of the proposed development overlooks the residences in Walnut Tree Lane, causing a lack of privacy to those residents living there. In addition, local residents in the properties closest to the access points have experienced occurrences of visitors knocking looking for the camp vehicular entrance. As this is often an unexpected caller or late at night, this causes safety concerns for local residents, some of whom are elderly.

10. Operation of the Campsite within the limits of s269 Public Health Act 1936

The campsite's entry on Booking.com states that it has been welcoming guests since 16th March 2022 and there are reviews by guests from 18th April 2022 onwards. Furthermore, bookings are open through to the end of this year and beyond and nothing in the campsite's publicity material either on Booking.com or HotelsKent.com suggests it will be open anything but all year round. This demonstrates that the site has already been operational in excess of the time limit which the applicant's own Planning Statement says it will abide by and that there is no intention to observe any such limit.

This retrospective planning application has no positive benefit to the village, only a detrimental impact on residents and the conservation area.

To summarise and enforce, this is a totally unsuitable site in a rural village to sustain such a business.

In light of the CCC Governance meeting on 07 October 2020 removing the right of call in by parish councils and amenity groups, Westbere Parish Council asks that the ward councillors, Cllr Georgina Glover and Cllr Louise Harvey-Quirke call this application in and ask that it is referred to the planning committee.

If CCC is minded to actually grant planning permission, we understand from the application that the use will be regulated by site licensing requirements under S269 of the Public Health Act 1936, limiting usage to a maximum of 60 days in any year with not more than 42 days consecutive use in any year. Our question is what mechanism(s) would be put in place to ensure compliance with this? It will require robust condition wording within the decision notice and a monitoring / recording and reporting record insisted upon.

Notifications:

None this month.

Invitation to a CCC Planning Session

NOTED the online training session being offered by CCC on 20 July 2022 on:

- 1) Stodmarsh issues, and
 - 2) Presumption in favour of sustainable development
- Cllr P. Glover and the Clerk will attend this.

Fordwich, Sturry and Westbere Parish council meetings re the Bretts owned Westbere Lakes/Fordwich site

Cllr P. Glover explained there is no update and no date yet for a next meeting although one will be scheduled shortly.

Village Green application to KCC for the Two Fields site

c/fwd: On 25 January 2022 Winckworth Sherwood Solicitors lodged a claim for Judicial Review brought by their clients Bellway Homes Ltd against the Kent County Council Regulation Committee Member Panel decision on 02 December 2021 to accept the advice of the Inspector that no trigger event had occurred in respect of the site. The outcome on the Hearing on 14/15 July is awaited.

There is no update yet.

71. Finance

The payments listed on Appendix 3 were noted.

RECEIVED the bank statements and bank reconciliation for June 2022 and RESOLVED the signature of a councillor other than the Chairman thereon.

NOTED that the Clerk submitted a grant application to KCC on 18 May 2022 for a Member grant of £800 from Cllr Alan Marsh for the Queen's Platinum Jubilee event on 05 June 2022. Project reference allocated is 22-CA-17. TO NOTE the Clerk completed the online acceptance of this on 06/07/2022. FS-Case-434899073.

NOTED that on 17 July 2022 the Clerk submitted an online VAT refund claim totalling £173.89 for the period 01 October 2021 to 30 June 2022.

RECEIVED an End of Quarter One report for information and NOTED that this is available to view on the parish council's website to satisfy the Transparency Regulations.

Replacement of the Perspex in the Shrubbery Corner noticeboard.

Cllr Harlow proposed, Cllr Wilson seconded, and all Cllrs RESOLVED to replace the Perspex in the Shrubbery Corner noticeboard. The Clerk will instruct the contractor.

CCC Capital grants applications for 2023-2024

NOTED that the CCC Capital grants applications for 2023-2024 is now open. Deadline 03 October. Cllr P. Glover suggested that replacement Christmas tree lights/trellis lighting be explored for the village green. He offered to investigate options. The Clerk will then draft an application to be ratified at the 19 September 2022 parish council meeting.

72. **Use of Section 101 since the last meeting – None.**

73. **Clerk report**

NOTED the response from the Department for Levelling up, Housing and Communities office on 04 July 2022 re the parish council letter written requesting new legislation to enable the option of lawful virtual or hybrid meetings:

Thank you for your letter of 25 March about local authority remote and hybrid meetings. Please accept my apologies for the delay in responding. I have been asked to reply.

In response to the pandemic, the Government introduced regulations under section 78 of the Coronavirus Act 2020 to allow local authority meetings to take place remotely. The regulations were time limited and only applied to meetings held between 4 April 2020 and 7 May 2021. A High Court judgement handed down on 28 April 2021 confirmed that local authority meetings must take place in person.

Prior to the expiry of the remote meetings regulations, the Government recognised that councils were keen to retain the flexibility to choose to meet remotely or in hybrid form as and when circumstances dictate. A Call for Evidence on remote meetings was conducted from 25 March to 17 June 2021 to inform consideration of permanent provisions. Any permanent provision would require primary legislation and would depend upon available Parliamentary time. The department has considered responses to the Call for Evidence and Government will respond shortly.

74. **Fordwich Sturry Westbere Twinning association representative position**

The Clerk was contacted since the last meeting by a representative of the Twinning association about a parish Cllr taking over the Fordwich Sturry Westbere Twinning association representative position. With three vacancies the existing councillors are stretched thin across the necessary responsibilities. The Clerk will explain this to the representative and ask for a copy of the last and next meeting minutes so that the Cllrs get a feel for what's involved. Similarly, if there is anything specific that the association would like the parish council to do or consider to be approached with this.

75. **CIL Community Infrastructure Levy Strategy**

Chestfield Parish Council devised a CIL Strategy and asked The CCC Planning manager to confirm that:

- The definitions in this policy are correct;
- All items listed/suggested would be eligible CIL expenditure – all the items identified would support development.

The officer commented that this was the best strategy of its type he's ever seen and suggested that it could be held up as a best practice example. He felt other parishes should be encouraged to devise something similar ahead of receiving CIL receipts. The Clerk forwarded this document to the Secretary of the Canterbury area of the Kent Association of Local Councils for her to share it by email with all of the district's parish councils. It was also promoted at the meeting of the Canterbury area of the Kent Association of Local Councils' meeting held on 16 June 2022.

Westbere councillors discussed this and suggested certain items such as a defibrillator for the village hall. Using Chestfield's example as a template Westbere councillors will now devise a similar one and bring the Strategy to the 19 September 2022 parish council meeting for adoption.

76. Any new residents that a Westbere Parish plan may be delivered to.
None.

The meeting closed at 8.15pm.

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Signed: Cllr Paul Glover, Chairman

Date:

Please note these Minutes remain as draft Minutes until they are approved by the parish council at their next parish council meeting

Next Meeting dates for 2022: Third Monday of each month except no meeting in August and December – 19 September, 17 October, 21 November 2022