



HERNHILL PARISH COUNCIL

Minutes of the Parish Council Meeting held at Hernhill Village Hall on Wednesday 28th August 2024 from 7:30pm to 8:54pm.

Present:

Cllr B. Heller (Chair) ,Cllr. D. Waters, Cllr K. Wakes, Cllr P. Smith, Cllr D. Figgis, Cllr. E Bannock MBE

Also Present: Mrs R. Parr (Clerk), and 4 members of the public

325. APOLOGIES

Cllr B. Chipperton, Cllr R. Lehmann (SBC & KCC), Cllr A. Gould (SBC)

326. DECLARATION OF INTEREST

None.

327. MINUTES

The minutes of the Parish Council meeting held on the 31st July 2024 (302-324) having been circulated to all Members, were taken as read, confirmed and signed by the Chair.

328. PUBLIC PARTICIPATION

A member of the public highlighted that the asbestos fly tipping waste had still not been collected. The Clerk confirmed she continued to chase SBC.

329. NEIGHBOURHOOD PLAN

Cllr Wakes gave an update on recent activity . A number of tasks have been allocated including an application for funding a housing needs assessment to the Department of Levelling Up under their Technical Support Package. Initial feedback received for the application has been positive and we should hear from them the outcome shortly. Councillors agreed to fund the purchase of biodiversity mapping documents for £34.The Clerk is also containing SBC for mapping as well. The next public meeting will be held on 16th October, 7.15pm at the Red Lion.

330. NEW HIGHWAYS IMPROVEMENT PLAN

Cllr Bannock provided an update and a list of areas to consider in the HIP had just been provided in draft. **Action:** All Councillors are to review and consider priorities at the September council meeting. The joint meeting dates should soon be available as well as there have been delays due to focus on large housing planning applications.

331. ANNUAL REVIEW AND APPROVAL COUNCIL POLICIES

The following policies were circulated to councillors prior to the meeting for review:

- A. Risk Assessment - The Clerk confirmed following correspondence with the insurance company, fly tipping is not covered by insurance and appears to not be something to get cover for. The Risk Assessment has now been updated to reflect this potential issue and was circulated to councillors ahead of the meeting. The Council then resolved to approve and adopt for a further year. **Action:** The Clerk is to add to the website.

332. REPLACEMENT OF POSTS ON THE VILLAGE GREEN – Update and consider costs and options

The Clerk had approached a number of local companies for quotes. The Clerks was informed that the current posts appear to be tanninised softwood taken from the heart of the tree with close grain. Quotes received so far are as follows:

Company 1 - Quote 1 – oak posts (timber from The Blean) 3 ½ inches into existing holes £2,175.00 (no VAT).

Company 2 - Quote 2 - green softwood 75mm (3 inch) UC4 grade suitable for ground contact 30 year service life £1,950.00

Company 2 - Quote 3 – Green oak wood £2,931.00

Company 3 – square chestnut option quote due imminently.

The Clerk also confirmed that she had contacted the insurance company regarding the use of volunteers to undertake the work. The response received was as the potential volunteers have the experience/skills to carry out this type of work and as they are under the irection/supervision of the council, they would be covered by your current insurance policy for replacing the fencing on the basis that the Council undertakes to risk assess and carry out appropriate risk management to reduce any risks it identifies.

The Council discussed the options so far including wood alternatives to those above. **Action:** Cllr Figgis is to investigate and the items will be brought back to the Sep tember meeting to discuss further,

333. PLANNING

A. Planning Applications-

- 1) 24/502123/EIOUT - Outline application (all matters reserved except for access) for a mixed use phased development comprising up to 1,815 dwellings (Use Class C2 and C3); an Employment park (Use Class E(g) and B8); local centre accommodating a mix of units to provide a Health and Wellbeing Centre (Use Class E(e)), all purpose store (Use Class E(a)), shops/ancillary retail units (Use Class E(a)), community/general use units (Use Class F2) and food and beverage units (Use Class E(b)); public open space and recreation including community park, recreation trail and improved pedestrian/cycle links across the A2; sports and education facilities comprising 2 From Entry (2FE) primary school (Use Class F1(a)), early years centre (Use Class E), leisure facility (Use Class E(d)) and sports pavilion (Use Class E(d)); provision of a minimum of 10% Biodiversity Net Gain; transport and access infrastructure including an integrated bus link to the surrounding area, upgrades to the Dunkirk A2 junction through a new trunk road slips and an electric vehicle charging hub (c.0.2 ha) within the village centre for approximately 36 vehicles as a mix of medium, rapid, ultra rapid and Tesla chargers, alongside associated facilities including toilets and potential for cafe facility; and associated parking, servicing, utilities, footpath and cycle links, drainage, ground and other infrastructure. *Land North And South Of The A2 Boughton Bypass Dunkirk Kent ME13 9LG*

The comments had been amended since the previous meeting and circulated ahead of the meeting. Further minor amendments were discussed. The Council unanimously resolved to approve the comments and object to the application. The comments are provided in Appendix 1.

- 2) *24/500531/FULL | Change of use of land for the erection of 1no. new outbuilding to provide 2no. treatment rooms, a WC and a reception for a chiropractic business (Class Use E) and a separate room for a home office (retrospective). | 2 Waterham Cottages Waterham Road Hernhill Kent ME13 9EG*

The meeting was attended by the application who is the homeowner. SBC had requested for the Council to revisit in light of additional information with regards to drainage and potential ecological impacts and well as photos of the site. The application explained the situation behind the case and answered questions that the Councillors had. Following a discussions, and in light of the additional information, the Council voted to alter their original objection at the meeting on the 27th March 2024 to that of No Adverse Comments.

- B. Planning Decisions:-
None

334. ALLOTMENTS

- 1) Allotment eviction - update and consider options to clear plot.

The Clerk has investigated and was waiting on a formal quote but it was likely to be circa £200 minimum, to strim and pile for composting. The Clerk advised that the Small claims court process costs £35 to claim up to £300 and that you may have to pay more fees later on - for example, if there's a court hearing or you need to get a judgement enforced. The Clerk is in the process of contacting other Clerks who have been through the process. The Clerk advised that there is a short waiting list to approach. The Clerk advised that this year's fees were also owed £65.00 as well as any potential clearance costs. The Council discussed resolved to bring back in September to decide was forward once more information has been received.

The Council also discussed regarding undertaking the clearance themselves. A councillor who had appropriate strimming equipment volunteered to undertake the work with other councillors offering to assist. The Council resolved to take this approach. **Action:** The Clerk is to produce a risk assessment for the task with the task to be undertaken in line with the allotment inspection.

- 2) Agree date of allotment inspection

The Council discussed and resolved for an allotment inspection on the 17th September 2024.

335. WAR MEMORIAL CLEANING

It was noted and thanks given that a volunteer from the PCC had come forward and had their own equipment for the task.

336. VE DAY 80 CELEBRATIONS 8th MAY 2025 – consider lighting of beacon

An update was provided that discussions were ongoing with the landowner for permission.

337. SPEEDWATCH – UPDATE AND NEXT STEPS

The Kent Speedwatch team had confirmed that there had only been one volunteer to register and undertake the training for the scheme in the past month. **Action:** The Clerk is to re-advertise for volunteers to register otherwise the numbers would not be sufficient to go ahead. It was discussed whether a joint Speedwatch Team could be created with neighbouring parishes. The Council are to consider at the next meeting depending on numbers.

338. SWALE BOROUGH COUNCIL HOUSING AND EMPLOYMENT SITES

– Update on planning meeting of the 8th August 2024 on sites concerning the parish

The Clerk advised the Council of the outcome of the SBC planning Committee meeting on the 8th August 2024 concerning proposed housing allocations and employment sites. SBC voted for option 6 being for 45% housing in the east of Borough. Employment site 30 offered by land owner located by Plum Pudding lane was rejected as not being suitable.

339. CLEVE HILL SOLAR FARM

An update was provided by those Councillors that attended an open day on the site 13th August. All agreed it is very, very large. The group met with members of the management team and one of the ecologists employed at the site. Further dates for members of the public to visit will be forthcoming in the autumn. Anyone interested is to contact Councillor Donna Waters.

340. NEIGHBOURHOOD WATCH

The coordinator reported that parishioners have been in touch with him regarding large HGVs coming down our lanes and downing overhanging vegetation. **Action:** The Clerk is to ask PC Morris if he can patrol and check lorries. The Chair advised that branches on the road and other dangers can be reported immediately via the KCC website.

341. COUNCILLOR’S REPORTS

- A. Cllr Wakes provided an update on the litter pick and that there were 8 volunteers with 20 bags collected. The date for the next litter pick is the 2nd November. **Action:** The Clerk is to publicise.
- B. The Clerk read a report from Cllr Lehmann providing an update on the poor bin collection service by Suez at SBC.
- C. A Councillor advised that there was an ongoing issue with the EE phone mast at Wey Street..

342. FINANCE

- A. The August bank reconciliation was approved and signed.
- B. August 2024 payments were approved and signed.

		info)	
-Advice Only S/O R Parr (Home Expenses)	£20.00		Local Government Act 1972 s.112(2)
- R Parr (Gross Salary)	£453.48		Local Government Act 1972 s.112(2)
-34 - online HMRC (Tax)	£0.80		Local Government Act 1972 s.112(2)
-35 - online R Parr (Net Salary)	£452.68		Local Government Act 1972 s.112(2)
-36 - online Hernhill Village Hall (Hall Hire June)	£17.00		Local Government Act 1972 Schedule 12
-37 - online Hughes & Son (Church cutting June & July)	£260.00		Local Government Act 1972 s.214(6)
-38 - online Alison Eardley Consultancy (Neighbourhood Planning)	£126.00	21	Localism Act 2011, Schedule 9;
-39 - online Kim Wakes (NP maps and print outs)	£16.40		Local Government & Rating Act 1997 s.26
-40 - online R Parr (expenses Viking printer cartridges)	£35.87	5.98	Local Government Act 1972 s.111

- C. Consider options for debit/charge card for the Clerk – As the new financial regulations included that Clerks should avoid using personal cards. The Clerk had enquired with Lloyds bank regarding the options for cards being a debit card or a Charge Card. The Clerk had ahead of the meeting circulated a comparison to councillors. The Council discussed and unanimously resolved to provide a debit card for the Clerk in line with the limits provided in the Financial Regulations. **Action:** The Clerk is to arrange for completion of the application form and then for it to be sent to Lloyds Bank.

343. CORRESPONDENCE

- A. Lightning at the crematorium. The Clerk had received correspondence from the Graveney Clerk whether anyone had commented on lighting. The Clerk had responded no and advised it falls within Boughton Parish.
- B. PC Gary Morris – An update had been received by the Clerk with the following:
06/08/24- Report of theft of oil from local business. This is still being investigated.

16/08/24- Camper from New Day festival reports that their tent was entered, and keys and purse stolen.
- C. Thanet Way closure 11-15th October between 8pm and 5am coastbound

344. ADMINISTRATION

None

345. CHAIRMAN & CLERK'S SUNDRY REPORTS

The Clerk advised that work on the new website was progressing.

346. ITEMS TO BE PLACED ON SEPTEMBER'S FULL MEETING AGENDA

- A. Allotment Inspection & Eviction
B. Speedwatch
C. Village Green Posts

There being no further business, the Chair declared the Meeting closed.

CHAIR

Appendix 1:

24/502123/EIOUT - Outline application (all matters reserved except for access) for a mixed use phased development comprising up to 1,815 dwellings (Use Class C2 and C3); an Employment park (Use Class E(g) and B8); local centre accommodating a mix of units to provide a Health and Wellbeing Centre (Use Class E(e)), all purpose store (Use Class E(a)), shops/ancillary retail units (Use Class E(a)), community/general use units (Use Class F2) and food and beverage units (Use Class E(b)); public open space and recreation including community park, recreation trail and improved pedestrian/cycle links across the A2; sports and education facilities comprising 2 From Entry (2FE) primary school (Use Class F1(a)), early years centre (Use Class E), leisure facility (Use Class E(d)) and sports pavilion (Use Class E(d)); provision of a minimum of 10% Biodiversity Net Gain; transport and access infrastructure including an integrated bus link to the surrounding area, upgrades to the Dunkirk A2 junction through a new trunk road slips and an electric vehicle charging hub (c.0.2 ha) within the village centre for approximately 36 vehicles as a mix of medium, rapid, ultra rapid and Tesla chargers, alongside associated facilities including toilets and potential for cafe facility; and associated parking, servicing, utilities, footpath and cycle links, drainage, ground and other infrastructure. *Land North And South Of The A2 Boughton Bypass Dunkirk Kent ME13 9LG*

At the Hernhill Parish Council meeting of the 28th August 2024, Hernhill Parish Council voted object to the above application on the following grounds:

The application is in conflict with Swale Borough Council (SBC) Bearing Fruits 2031, National Planning Framework and Boughton & Dunkirk's Neighbourhood Plan which carries full planning weight. In particular:

Policies Contradictions of application:

- Policy ST1 (sustainable development), ST3 (Swale Settlement Strategy) and Bearing Fruits 2031: The Swale Borough Council Local Plan 2017. The proposal represents unsustainable development and does not protect the countryside which is directly against SBC Local Plan Policies ST1 and ST3. It constitutes outside or urban area loss of land.
- SBC Housing Land Supply – this development speculative and is not allocated or mentioned in the Local Plan and SBC has already demonstrated 5.13 years of housing land supply.
- Policy DM6 (Managing transport demand and impact) - There is insufficient information included within the documents submitted of the impact on the highways which this is against. Therefore, the Council cannot be certain that this would not have a significantly harmful impact on the wider local area.
- Policy DM 31 - Agricultural land Development on agricultural land will only be permitted when there is an overriding need that cannot be met on land within the built-up area boundaries. Development on best and most versatile agricultural land (specifically Grades 1, 2 and 3a) will not be permitted unless: 1. The site is allocated for development by the Local Plan; or 2. There is no alternative site on land of a lower grade than 3a or that use of land of a lower grade would significantly and demonstrably work against the achievement of sustainable development; and 3. The development will not result in the remainder of the agricultural holding becoming not viable or lead to likely accumulated and significant losses of high quality agricultural land. The proposal

relates to an area of approx. 68.52ha of BMV land grade 3 and the land is currently being used to grow crops. Furthermore, there has been no evidence that brownfield sites or other lower grade sites have been considered and there is no housing need that cannot be met on land within the built-up area boundaries.

Additional policies contradicted by application:

- Policy DM 26 - Rural lanes
 - Policy DM 25 - The separation of settlements - Important Local Countryside Gaps.
 - Policy DM 28 - Biodiversity and geological conservation
 - Policy CP 7- Conserving and enhancing the natural environment - providing for green infrastructure.
 - Policy CP3 – Delivery Wide Choice of High-quality Homes. – only market housing included.
 - Policy CP4 (Requiring good design) and DM 19 (Sustainable design and construction) – not achieve sustainable high-quality design.
 - Policy DM 8 – Doesn't meet its Affordable housing.
 - Policy DM 21 - Water, flooding and drainage – Not sufficient information to confirm impact. Consider National Rail concerns over flooding.
 - Policy DM 24 - Conserving and enhancing valued landscapes – Impacts on wider setting, character and visual effect of Area of Outstanding National Beauty.
 - Policy DM 32 - Development involving listed buildings – Heritage impact at Macknade's.
 - Policy DM34 – Scheduled Monuments and archaeological sites. – Preference to preserve important archaeological site. Condition full programme of archaeological works and consideration of important remains to be left in-situ.

General Comments

In addition, the previous PM stated in PM questions on 17th April 2024, that no food producing land would be permitted for building, this application clearly contradicts this statement. This would be a loss of arable food producing [HC1] farmland, which is in direct conflict with the Government's strategic intent that 'food security means strong and consistent domestic production of food'.

Hernhill is a small Parish and would be greatly affected by this proposal because the Parish and its residents rely on local towns and infrastructure. Whilst we are not a direct consultee, we have received significant parishioner feedback and concerns to the proposals, all of which are objecting and feel that this is not in the interests of the surrounding local communities.

The surrounding infrastructure is already at or beyond capacity, any further development would increase this burden. Local roads are currently poorly maintained and not appropriate for the levels of traffic this proposal would impose. The M/A2 is already full and often subject to delays and the A251 is not suitable for existing traffic and many of the surrounding roads only suitable for one car at a given time.

It is acknowledged that Brenley Corner is due for a major upgrade but the details of this are yet to be released. This is the main route for all vehicles, both private and commercial, to and from Dover and the continent. Given the recent impact demonstrated by the development of the Stockbury area any development should not be considered until any upgrade is completed.

England has the highest population density of any county, particularly in the South. The job market in Kent is not short of people with vacancies far outweighed by individuals, but it is short of the skills for current and future needs.

Environmental Concerns

The Swale Landscape Character and Biodiversity Appraisal Supplementary Document (SPD) 2011 lays out the need to conserve areas we have. The proposal will remove a visibly attractive landscape, also referenced in SPD 2011 and have a negative impact on intrinsically dark landscapes, areas of tranquillity and the local network of rural lanes and Public Rights of Way.

The site will generate significant waste materials and sewage, which is already an issue in this area, with many campaign groups. In addition, Kent County Council have been proposing to shut a number of waste recycling locations in Kent, which includes Faversham.

If this proposal was approved it would be a huge loss of wildlife habitat for a range of species, such as bats and hares but there are also ponds within the area.

Whilst we acknowledge that the proposal includes cycle and footpaths, there is a potential that most properties will have at least two vehicles, therefore provision is not sufficient for this.

These additional properties will significantly increase light and noise pollution due to property density, having an impact on wildlife.

Construction and the above-mentioned property density and additional traffic both during and after constructions risks air pollution.

There appears to be little provision of green power options, local telecommunication networks and waste management, which has recently experienced severe delays and lack of understanding of any impact this has had or the needs of the provision.

Other considerations

Whilst Dunkirk may not be protected as an Area of Outstanding Natural Beauty (AONB), it is within viewing distance. A recent development proposal at Tunbridge Wells was blocked by the Housing Secretary due to the developments “generic suburban nature, which does not reproduce the constituent elements of local settlements”. There is a further example of Bredhurst, who are about to go to the High Court to prevent 2,000 homes being built on the North Downs. Bredhurst Parish Council says the “garden development at Lidsing between Hempstead, Lordswood and Bredhurst has an inadequate infrastructure and would cause the destruction of neighbourhoods, countryside, and wildlife”.

Many of the community chose to live or stay in the area because of its rural nature, this proposal would vastly increase traffic levels through country lanes in neighbouring villages and hamlets. This changes the very value of living in such areas to its detriment.

To Note

This development will be devastating for wildlife in the Blean nature reserve and nearby Sites of Special Scientific Interest. It will more than double the number of houses in Boughton & Dunkirk together, causing further strain on local infrastructure, which already has problems with flooding, water and power shortages, sewage capacity and traffic.

Environmental impact

The proposed development will result in the loss of previously undeveloped land, within the impact zone of Sites of Special Scientific Interest and adjoining a local designated site of biodiversity that surrounds the application site.

The application site appears in the SHLAA as site reference SLA18/156 Foresters Lodge Farm, the assessment of this site concluded that: “the site is considered to be in an unsustainable location which is not suitable for residential development.”

The application site was put forward to Swale District Council for possible inclusion in the 2017 Local Plan ("Bearing Fruits 2031") and was rejected on the following grounds: "it is designated as a local area of high landscape value in its entirety. It is surrounded on all sides, (except for where it joins the M2), by locally designated biodiversity sites. It is assessed as 'unsuitable' in the SHLAA. The Council's own biodiversity baseline study evidence identifies the site as the Blean nature recovery area and recommends that development should be avoided at this site".

The site was rejected from being included in the Boughton and Dunkirk Neighbourhood Plan and the Swale Borough Council Local Plan because it is considered unsustainable and unsuitable for residential development. The site is also entirely within an area identified as ‘high landscape value’ in the county. All assessments of this site have concluded that it is unsuitable for development and, as the site is considered unsustainable, there are no planning merits to support departure from national, local or neighbourhood plan policies.

The net gain in biodiversity falls short of the national target of 20% on greenfield sites and the Biodiversity Statement only assesses on-site habitats and completely ignores the detrimental effect the development will have on the surrounding South Blean woodland, a local wildlife conservation site. Some of the woodland, as stated in the application, are Priority Habitats of Ancient Woodland, Deciduous Woodland, Lowland Heathland, and Traditional Orchard. Both the construction phase of the proposed development and the completed development itself will be detrimental to this woodland and the nature existing within it.

The applicant’s Environmental Statement talks about creating “a wooded connection approximately 50 metres wide to the woodland east and west of the Site” and “a 20-metre deep buffer to site boundaries, in order to protect the ancient (and other) woodland areas from encroachment”, but an inadequate buffer of only 15m is shown in the Landscape Masterplan and application drawings. No mitigation for the effect of noise, artificial light, changes in air quality, cat predation and dog disturbance or increased footfall in a relatively undisturbed area of woodland are included in the application proposals.

The site would pose a threat to wildlife in the Blean reserve both during the prolonged construction phase and after completion, as outlined in Kent Wildlife Trust's and the RSPB'S comments on the application.

For all these reasons the application should therefore be rejected on environmental grounds alone.

Infrastructure, health and welfare

The proposed development will result in the permanent loss of valuable agricultural land, crucial for national food production and local employment.

It is proposed that the foul water from the development to be discharged to Faversham Sewage Works which is already working at over capacity. Any additional discharge would cause local flooding and pollution of local watercourses, including the Sarre Penn. A development of 1815 dwellings should provide sustainable treatment facilities on site.

The proposed development will place excessive demand on the local water supply infrastructure, which is already nearing capacity and water shortages are a regular occurrence in Dunkirk. This development would lead to further water shortages and reduced pressure for existing residents who already suffer low water pressure and periods of no water at all. Southern Water have indicated that it may take up to 5 years to rectify the current issues without the addition of houses in the proposed site. The applicant's own Utilities assessment shows that South East Water say the existing system will not cope with the new development and that the cost of upgrading in order to do so and the timescales involved are, at the moment, unknown.

The site is in a flood risk area, paving over this land will increase this risk unless proper mitigation is enforced. KCC Flood and Water Management team highlight that the information on attenuation is inadequate because "no details have been provided as to how much further attenuation needs to be provided to manage this risk".

There is insufficient capacity in the current electrical grid and gas supply for this development and there is no indication that the developer has included the vast cost of upgrading this infrastructure in their affordability assessment of the development.

There is a shortage of GPs and dentists in the southeast already. We have been advised by a local GP that the proposed NHS branch surgery is unrealistic because the number of proposed new residents does not meet the threshold for the NHS to consider the building of a new surgery. Local health facilities are already under immense strain due to staff shortages and patient numbers and our local services will be overwhelmed by this population increase, adversely affecting the health and wellbeing of local residents and the wider population.

Sports England's comments highlight that the sports provision included in the application is not adequate for the future population of the 1815 dwellings, with some outdoor sports facilities shown on unusable land. They state that if "demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision" and "it is not acceptable to say that the playing pitches provided at existing school sites will meet the needs of the local community as these pitches have limited access". As a result, they have objected to the development proposals.

There is no guarantee that a primary school will be provided on the site and local secondary schools are already at capacity. Larger secondary school class sizes to accommodate the extra pupils will reduce the quality of education in our local schools.

The proposed development will lead to a substantial increase in traffic through the adjoining villages of Boughton-under-Blean and Dunkirk. New connections to the A2 are proposed, but this does not mitigate the effect on the village roads when there is an accident on the A2, (which are a regular occurrence), and Boughton Street and Staple Street is used as an alternative route. The increase in cars and lorries coming through the village will not only result in higher levels of air and noise pollution but also increase the risk of road accidents.

There is no guarantee that additional public transport will be provided for the new residents. Bus routes rely on funding from the local authority who are already cutting other routes due to lack of money. Buses for secondary school children are already stretched with many children not being able to reach school on time as full buses drive straight past waiting pupils.

Scale and local Character

The size of the proposed development will more than double the population of Boughton-under-Blean and Dunkirk combined, the character of these rural villages will be destroyed as they are swallowed up by a development vastly out of scale with these existing small settlements.

The proposed development completely ignores the integrity, form and character of small settlements of Boughton-under-Blean and Dunkirk and will threaten their integrity as separate settlements. Their separation and rural setting are essential to their character and this will be lost through the proposed large development on agricultural land.

For all the reasons outlined above, this application represents an unsustainable and inappropriate development in an area of high landscape value and an existential threat to an area of irreplaceable environmental importance. It must therefore be refused.