

Dunkirk Parish Council

Minutes of meeting held at Dunkirk Village Hall on 8 May 2018 at 8.30pm

Present: Jeff Tutt (Chair), Daniel Brice, Vaughan Howland, Phillippa Clarkson, Steve Hitch, Julie Coleman, Andrew Bowles, Louise Blackshaw (Clerk)

Declarations of Interest: None

1. **Notification of additional agenda Items:** Brotherhood Wood (item 7)

2. **Apologies:** None

3. **Receive Decisions**

17/502338/FULL - Brotherhood Wood - Variation of conditions 2,3 ,4 and 5 of planning permission SW/13/0137 Change of use for gypsy and traveller site to incorporate previous site approvals, increase number of pitches, relocate and enlarge communal facility building. Includes parking, lighting, fencing and landscape buffer. Condition 3 - to increase the total number of permanent caravan pitches to 40 with a dayroom on seven of the pitches; each pitch to have not more than one static caravans/mobile homes with space for car parking, and a touring caravan. Amended layout plan. Approved.

4. **Consider Applications**

None.

5. **Update on Appeals**

17/500117/ENF - Land at Scoggers Hill – awaiting the outcome of the site meeting by the Planning Inspectorate held on 4 April.

6. **Purchase of land alongside track to playing field**

The clerk had reviewed the report and documentation and reported that all was in order and the TR1 to confirm the transfer could be signed. The outstanding balance due for legal fees was £870.03. The payment was proposed, seconded and agreed.

7. **Brotherhood Wood**

Andrew Bowles and Jeff Tutt reported on the SBC Planning Committee on 26 April which had approved the application to increase the number of pitches. The application had been approved by 9 votes to 6. Jeff Tutt explained that the application should never have been validated as the applicant was not the landowner, but had certified on the application (Certificate A) that he was and no notifications had been served (Certificate B) on any of the registered owners. The DCLG clear advice was that this was a reason for an application to be refused on those grounds alone. SBC were aware that the applicant was not the registered landowner but still continued to progress the application.

The Planning Committee were then advised by the Planning Officer at the meeting that the Town & Country Planning Act could be ignored to ensure a decision was made. They were also warned of the costs which could be incurred by the council should they decide to refuse the application and it subsequently went to an appeal.

It was felt that these circumstances made the decision unlawful and it was agreed to send a formal complaint to SBC Chief Executive.

A discussion took place regarding the possibility of a judicial review. Andrew Bowles had previously suggested this as a course of action and was in support of pursuing this. Jeff Tutt was attending a meeting on 11 May with other parish councils regarding gypsy & traveller issues within the borough and would endeavour to gain their support with pursuing a judicial review.

8. Matters not on the Agenda (for information only)

Apsley Trust – Phillippa Clarkson reported that at recent meeting of the Trustees it had been agreed to make a mid year payment. This was for a family who the Trust felt needed support in exceptional circumstances.

Drones – it was reported that Drones had been flying over a field which had been intrusive to those living nearby and distressing livestock in the field. It was agreed to ask KALC whether they had any advice.

Leaning trees near Woodsend Farm – Steve Hitch was still trying to contact the landowner.

Bonfires – there were reports of further incidents of bonfires at the businesses in Courtenay Road and Brotherhood Wood and Claypit Wood. These were being reported to enforcement and the Environment Agency.

The recent planning application at Maytree Nursery had not included conditions regarding burning on site, despite this being suggested by the parish council due to this being a problem in the past. To be followed up with Planning Dept.

Vaughan Howland expressed his appreciation of the effort which Daniel Brice and other parishioners had taken to investigate the history of Battle of Bossenden. Their findings had shown that Mears had been killed by the Crooked Oak and the battle took place on the right hand side of Courtenay Road. This was contrary to what had been stated in some history books. Jeff Tutt asked for details of the exact position which he would pass on to Ordnance Survey to use when placing the crossed swords onto the map.

Date of Next meeting: Monday 21 May – Annual Statutory Meeting
Monday 4 June – Planning Committee

L Blackshaw
Clerk

Signed

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Chairman

Date