

Public Meeting Notes dated 13th October 2022: Land North of Kirkwood Avenue.

The Public meeting was held in the Jean Mealham Pop-In Centre along Lower Road and was attended by some 45 villagers, five members of the Parish Council (PC) and one representative from C.S. Developers. An apology was sent from the developer's ecologist as he could not make it.

The evening was opened at 18:30 with a brief safety introduction by the Chair (a member of the PC).

The Chair then went onto clarify that the evening will take two parts, the first half discussing C.S. Developments proposed plan for the three bungalows and the second part, the proposed plan to gift lands to the village free of charge. It was proposed that each element would take approximately 30 minutes.

The Chair empathised that the public (villagers) in attendance will all have the opportunity to talk to the room and to the developer, but that the Parish Council (PC) will make no decision tonight. The PC and developer will listen to all the views expressed from the floor and will endeavour to answer them.

The developer then introduced himself, thanked everyone for attending tonight and giving him the opportunity to discuss the project. The developer said that he is a third-generation builder, hands on and has a history of similar projects. He apologised that Mr David Lowe, Ecology, could not attend.

A number of slides were projected which illustrated the extent of the project and lands. *Copies of the slides are appended to the back of these notes.* Note, the slides had been prepared by the Chair as an enabler for the meeting discussions. The developer pointed out that there was an inaccuracy in one of the slides (see gift land plan) and identified the southern area as not included.

The developer summarised the current plan for three bungalows and emphasised that it has been reduced from seven following initial refusal by ABC. The bungalow layout was presented on a slide and the developer highlighted that each property had a single garage and off-road parking. The edge of the development will be grassed and additional planting will be undertaken to further enhance the site. A 3 m wide access opening will be provided to the land to be potentially gifted, accessed from Kirkwood Avenue. The three bungalows will be slightly re-orientated to make them less uniform. The 2 m buffer strip to the north of the site was pointed out, and will be included within the proposed gifted land. Gifting the hammerhead will obviate the development of the road to the north.

The developer then addressed a slide showing the internal layout and design of all three bungalows and stated that the properties are now all the same with ridged gables (hip roofs) to reflect the existing Kirkwood architecture, with a slate roofing (possibly natural Welsh slate).

The Chair then invited questions from the audience.

Q. The three bungalows are out of scale with respect to their angle, their large plots and so can be easily extended. They are not in keeping with Kirkwood.

R. The developer stated that he did not understand the comment re design.

Q. The question was then asked, did ABC ask the developer to gift the land?

R. The developer stated that he had originally been approached by the Parish Council who had requested the land gift.

Chair: It was clarified that the PC had at no time requested the possibility of having land gifted, either during or prior to the development application.

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R. The developer apologised and corrected his previous statement. He confirmed that his prior communication regarding the gifting of land had only been between himself and ABC.

Q. The same villager then replied that the current design is excessive and that the original seven dwelling scheme mirrored Kirkwood better. He re-empathised that the current scheme is not in keeping.

Q. With respect to the internal layout, why is the kitchen and living area on the opposite side of the house?

R. This is down to personal choice.

Q. Can the current design be altered and additional development undertaken?

R. A covenant can be included to state that the bungalow must be left as built.

Q. Has this been placed into legal terms?

R. Not yet. The proposed properties will be ideal for residents to down-size and stay in the village.

Q. Not at the price/cost of the proposed bungalows?

R. It is the way of the industry.

Q. Why, developers are actually the problem?

R. Land is expensive and building costs, it's really up to the Government to solve as they have sold many council houses. It could cost between £200,000 to £300,000 to build a unit.

Q. A villager then reminded the meeting on the point that Woodchurch want starter homes and smaller homes to enable downsizing.

R. The architecture must fit into its environment **and be financially viable**. The cost of land in Woodchurch and surrounding villages makes it unviable for any developer to build only starter homes without making a loss.

Q. The land currently does not have planning permission so the proposal has been to cut housing from seven to three and gift the ecological land is a bribe.

R. No, it is not. Development happens.

Q. The Kirkwood estate was built solely for pensioners. The new development is out of character and gifting the land would be problematical with respect to further development.

R. Once gifted, the ownership of the hammerhead will ensure that development to the north cannot take place.

Q. The proposed development is on conservation land.

R. It's a windfall policy. *

Q. We don't want the land or the bungalows.

Q. Residents not happy with the layout.

Chair. Called for order and said that the PC need to capture the opinion of the whole village.

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Q. What about expansion into the conservation area?

Chair. This is part of the future discussion & decision to be undertaken by the PC. The PC objected to the application in their January 2022 letter to ABC.

Q. Who actually stated that the land should be gifted?

R. We want to work with the village.

Q. It looks like a bribe?

R. I am trying to explain and work with the village.

Q. We note that there are variations to the bungalow design?

R. Since the drawing used in the slide was published the design has been updated so that all three bungalows are now the same design.

Q. You have gone about it in the totally wrong way. You should have asked the villagers what they want. You have not actually asked the villagers.

R. I have lost money in building. It is tough to make money.

Q. The ransom strip to the north is different to the end of Kirkwood avenue, which is owned by the Highways. What is the difference?

R. The northern strip would be owned by the village. To access from Kirkwood we apply to the Highways to cross the hammerhead land.

Q. Have you applied?

R. If an application is made, the Highways will approve.

Q. So why are you crossing now if you have not had approval?

R. I understand, we will make an application now as we own the field and will request for a drop kerb.

Q. Do you have a done deal from ABC for access from Kirkwood?

R. We will look at applying now.

Q. Why a road from Kirkwood? Now that the 3rd house is build the access from Lower Road has been cut off and you expect Kirkwood access which impacts local residents.

Q. Is the gift of land under a S106 agreement?

Chair. Let me emphasise that no discussion between the PC, the developer and ABC has been undertaken to date. Only a factual site visit. There has been no PC discussion re the gifting of land. We would have to take legal advice prior to any consideration, therefore at the moment the PC is trying to understand the development project. If the lands are to be gifted then further discussions will be needed.

Q. Why gift the land? Is this is the only way to make this application acceptable to ABC planners?

R. The developer spoke to Mr Apperley, ABC Planning Case Officer, he asked the developers to come back and contact the PC and village re gifting the land.

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Q. Was this an enabling agreement?

R. Not necessarily.

Q. What happens to the planning if the lands are not gifted?

R. It will go on as ecological managed lands for planning purposes.

Q. We like green fields. People having access via an unlit road to the green area will run the risk of attracting undesirable activity. Cars could drive past slowly looking in windows. Another example is as experienced on the village green where vandalism has taken place even with the green being overlooked. If you create an open field this will create a dark corner.

Q. The meetings attention was then drawn to Section 17 of the Crime and Disorder Act, 2002, which addresses excessive social impact on residents. To obviate this, we do not want the lands open to the public.

Chair. If planning does go ahead and the village do not accept the land gift, what happens to the land?

R. It will stay in the developer's ownership.

Q. You mentioned earlier that some of the area is associated with the three new houses built along Lower Road?

R. Yes, the land to the west, currently fenced off within the mitigation area, as shown on the plan.

Q. Why not give all the land to the bungalows?

R. That's another option.

Q. With respect to the former application that had seven bungalows, were any of the seven starter homes and why was it turned down?

R. It did not fit into the environment, deemed harmful and was an overshadowing development.

Q. Why not reduce the size of the three proposed bungalows to the same size as Kirkwood properties so they have the same square footage?

R. They are the same frontage as some properties in Kirkwood.

Q. They do not look the same as existing Kirkwood and people downsizing could not afford them.

R. You must expect different people to downsize, say people from £2M to £1m to this.

Q. Why such as large kitchen and breakfast room as not suitable for retired people?

Q. It would increase traffic in Kirkwood Avenue, which is already a major problem.

Chair. These questions are subjective as we cannot predict what designs potential buyers may want. Currently the comments regarding traffic volumes are also subjective as no official traffic surveys have been undertaken in Kirkwood Avenue.

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Q. I have recently moved into Kirkwood Avenue and I would not object to there being, say, five two-bedroom bungalows which are suitable for people who are retired – does anyone agree? (No response to this question from others present). OK it appears that whatever is proposed people here may still not agree to it.

Q. It is because it is in the conservation area and traffic generation. Retired elderly residents do not want this.

Q. We have seen heavy lorries, trailers and vans blocking (Kirkwood) driveways. Only last Tuesday waste collection could not get to houses as the road was blocked.

R. The new development will have waste collection lorry turning areas.

Q. If not adopted, (*the speaker was of the opinion that*) ABC will not take the risk to use an unadopted road.

Q. What is a conservation area, can the developer explain?

R. Basically, an area of land, such as an open space.

Q. Why is it included in the Windfall policy?

R. The new application will retain open spaces.

Q. The land is supposed to be agricultural.

R. At the moment, yes.

Q. A conservation area can be defined as not allowing certain permitted development rights.

R. Yes.

Q. The conservation area was created from the will of the community to have a green area for prosperity. That is why there is resistance.

Q. We live in number 25. Are there any discussions for people living behind?

R. No discussions at this time.

Q. Once the land is gifted we will have more traffic, walkers and cars. Therefore, there is an increased risk of crime with respect to theft i.e., people checking out homes.

R. Most people to use the recreational area will be local and there may not get people from the other end of the village.

Q. Yes they will, we may get more dog poo.

Q. Dog walkers do walk all over the village, the surrounding woodlands, green and paths, therefore they will walk in any new open space.

R. It does not have to be a public open space. Access can be reserved for maintenance only and the gate can be padlocked.

Chair. The proposal seen by the PC shows that the land is only used for ecology.

Q. We would not want the land open.

R. The developer is happy not to designate it as an open public space as it is not set in stone.

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Q. There is a concern that if gifted to the PC (and the village) there will be requirement for maintenance, upkeep, etc. Why should the village pay for this?

R. The PC has seen some of the proposals for the area set off for ecological management. The three existing houses (along Lower Road) are now paying for the upkeep of part of that land and this requirement is inserted into their land deeds. The ecologist (David Lowe) has given a breakdown of costs. There will be no cost to the village for legal and maintenance as all new properties will pay a service charge.

Q. Will the properties be freehold?

R. Yes.

Q. How will you make the owners pay for the upkeep?

R. It will be part of the planning agreement and be included within the deeds which is a legal binding document. It is expected that the houses will pay some £500/year each.

Q. If the land is designated as ecological lands, then why give it to the PC?

R. This will secure the land for the future and enable the maintenance contract to be within management of the village.

Q. How will the houses be made to pay for the management of the land?

R. It will be via a legal contract.

Q. Who will enforce it?

R. By the land owner.

Q. Other people pay service charges so is this similar?

R. Yes. This is a legal agreement to obviate the PC from taking on any costs.

Chair. The PC has to take on legal advice to address this scenario. The Chair also reminded that villager questions can also be made via the ABC planning portal.

Q. Why is the PC interested, why not just block it off?

Chair. This is of course an option.

Q. I would not support the PC in taking this further.

Chair. Noted. The PC have not made any decision. This public meeting is an enabling meeting so that the PC can hear all the views.

Q. The green heart of the village is in danger from progressive encroachment. We have seen Tim Bourne gift the wildlife meadow as an enabling act to allow development, this led to the three more new houses along Lower Road and now we find ABC looking at this infill on the basis of gifting the lands to the PC. What are the future consequences for further creep. The whole green heart is in danger from encroachment.

Chair. Need to be careful, as we are only able to consider each application on a case-by-case basis.

Q. You need to also remember the history and heritage is the site.

Q. This land was turned down for the 2030 Local Plan because it is in the green heart.

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Chair. The current PC members were not around at that time. Therefore, the PC is being transparent as possible. The PC would not accept the land as a favour to agree to the project going ahead. A good point has been made that the ecological lands do not need to be open to the village and could remain as a closed field. The PC still has an open mind and will continue to listen to villager views.

Q. If gifted, how frequently would the area need maintenance?

R. Approximately four times a year as per the ecological plan.

Q. Will a pole of the whole village be undertaken?

Chair. You will be seeing more general consultation coming out to guide the PC on a wide range of issues. These will help the PC to better understand of the priorities of village residents and to prioritise the spending of parish monies and understand what is important.

Q. So, you are saying that further village consultation cannot be guaranteed?

Chair. Yes I am. However, the inclusion of adding further consultation options (for discussion) into a future PC meeting agenda would have the support of Councillors. The whole of the PC would then have to agree as to the next step.

Q. Millers Field near Canterbury was gifted to the PC and subsequently Canterbury City Council commandeered it and built a car park on the site.

Chair. This does emphasise the potential future challenges. Community priorities change over time and therefore we cannot guarantee what will happen over the next 20/50/100 years. We cannot predict the future.

Q. Re the gift of land at no cost to the village. I would argue that the loss of the green area and open space carries more than a monetary cost.

Chair. Agreed. The wording in the village Newsletter should have read "Financial" cost in order to be clearer. However, at present this land is currently enclosed and inaccessible to most of the village residents and therefore can only be enjoyed by the adjacent homes that currently overlook the area.

Q. When enabling that land developed by Tim Bourne it was said that there would be no further infilling and development. It will be a great harm to the village to further encroach onto the land (green heart) and so it cannot be ignored.

Chair. The current PC councillors were not around at this time (except maybe one) and so were not involved in those discussions and so cannot really comment this at this time.

Q. Please look at the historical encroachments.

Chair. The PC would take the position of the majority of the village.

Q. The field to the north of the development site already has an access from Lower Road.

Q. If you have a pole of the village, please make it clear that it is in the green heart and conservation area.

Chair. Agreed of course. But there is a need to clarify the definition of a conservation area as people have differing views.

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Q. The land is sacred and we do not want to lose it and understand that the village wants to preserve the lands for future generations. Therefore, there is need to control and keep it as before.

Q. None of the three new buildings proposed has been approved democratically. Not one parish councillor has actually supported the development.

Q. In the PC January 27th 2022 letter to ABC Planning it was stated that *“The Woodchurch PC consequently request that if 21/02142/AS is not initially refused but deferred prior to determination, sufficient time is given for undertaking a Woodchurch Village wide consultation to clearly understand the ramifications for continued development within this section of the Conservation Area and the its consequences (financial and environmentally) for short-term and long-term land management. C.S. Developments and other parties would be an integral part of this consultation.”* Why is this meeting now, if this was proposed nine months ago? Why on a short time scale?

Chair. The PC have received no formal response to the comments sent to ABC in January.

R. It was further clarified that ABC Planning has not been working efficiently (somewhat in disarray) since the start of 2022 and that the original planning officer for this planning application left. It has been only recently that a new officer has been looking at the case. As the PC did not hear anything from ABC planning, it was envisaged that the case was dropped as non-determined. It was not until receipt of the developer’s letter (in the middle of August 2022), offering to gift the land that the PC extended their review, leading to this public meeting.

R. The developer added that as the original planning officer left, the case was then pushed back and back. They however continued to push to get a reply and a new planning office was finally appointed in June 2022. This is why it was not progressed by ABC.

Q. How will the Parish Council go about making a decision regarding whether this development should go ahead?

Chair. The Chair explained that the Parish Council does not have any decision-making powers and are only one of several statutory consultees. The Parish Council can only provide comments for consideration by the ABC planning officers.

Q. Can you confirm that there will be no financial and legal costs?

R. The developer confirmed that there would be no costs.

Q. What is fly tipping takes place?

R. The developer said that he did not think this will be issue. Of course, the gate can be kept locked.

Q. On the original plans two coloured lines are shown, what are they?

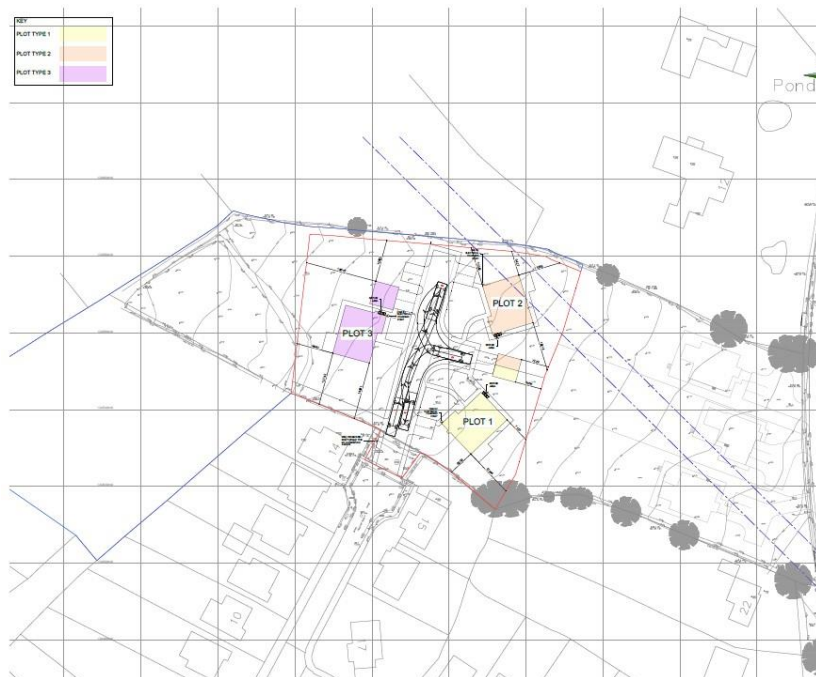
R. The developer explained that they are to view the Church spire.

Chair. If there are no more questions, then it remains to thank everyone for attending. The PC has taken on board everything said for discussion at the next PC meeting and the PC will of course keep the village updated.

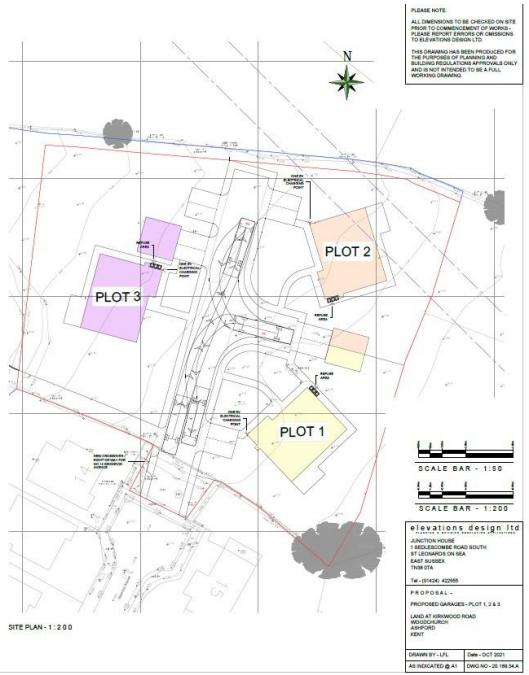
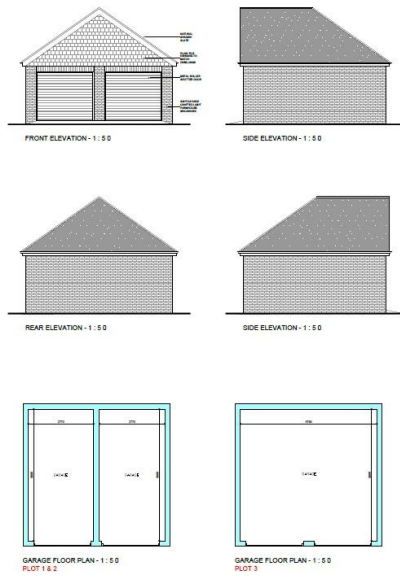
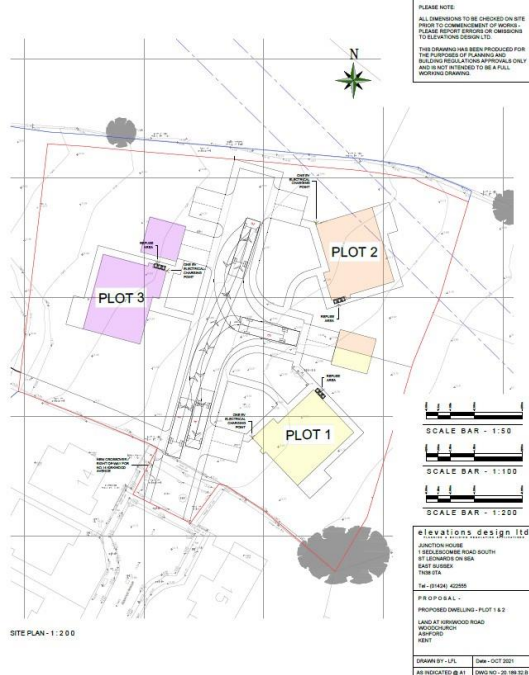
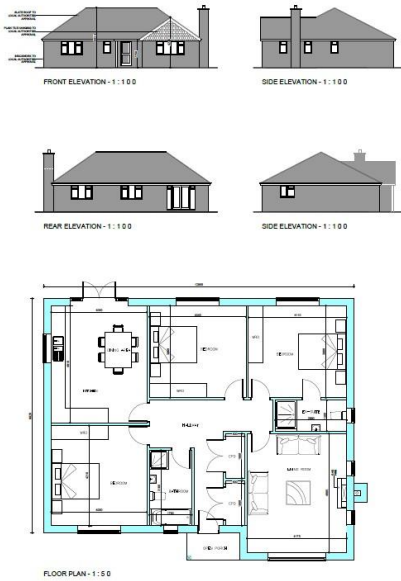
The meeting then closed at approx. 7:45pm.

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Slides.



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