

MINUTES OF A MEETING OF BRENCHLEY AND MATFIELD PARISH COUNCIL HELD AT 7.30pm ON MONDAY 10th JANUARY 2022 AT MATFIELD PAVILION

Present: Councillors L. Butler (Chair) presided, J. Buttery (Deputy Chair), C. Churchill, C. Miconnet, G. Warner, A. Wells. C. Brooks (Clerk)

In attendance: Cllr Sarah Hamilton (KCC)

1. To accept apologies for absence

The Council accepted apologies from Cllr Spencer who was on holiday and Cllr Akenhead and Cllr Stout who were unwell.

2. To approve the Minutes of the last meeting

Minutes of the Council Meeting held on 6th December 2021 were approved as an accurate record and were duly signed by the Chair.

3. To record declarations of interest in any item on the Agenda

Cllr Warner declared a perception of bias interest in Planning Application 21/04073 and did not participate in discussions nor vote on the matter.

4. To adjourn to allow public participation

None.

5. Borough and County Councillors – to receive information

None.

6. Planning

1. Planning Applications

Application	Details
21/03817 Tibbs Court Farm, Tibbs Court Lane, Brenchley, Kent, TN12 7AH	Variation of Condition 2 (Approved Plans) of 20/00330/FULL (Part Retrospective) - The approved surface water strategy has been altered to no longer connect into the highway drain, but instead to a nearby watercourse. This amended strategy has been agreed with the LLFA. Substitution of approved Engineering Layout (Drawing: AC17267-CIV-0001 Rev.M) with Engineering Layout (Drawing: AC17267-CIV-0001 Rev.N) and approval of additional plan: Engineering Layout Offsite Surface Water Drainage (Drawing: AC17267-CIV112 Rev.C2) RESOLVED TO RECOMMEND: REFUSE Application details dated 15.11.21 state that LLFA has agreed this amended surface water strategy but Daniel Hoare's letter (KCC Flood and Water Management) dated 17.12.21 states this is not the case. The PC notes the comments made in this letter together with neighbour comments against this proposal. This application should not be approved until all concerns regarding surface water running into the nearby watercourse together with relevant landowner permission have been addressed

<p>21/04044 Pond House, Cuckoo Lane, Brenchley, Tonbridge, Kent, TN12 7HX</p>	<p>Partial conversion of detached double garage to provide home office, gym and garden store. RESOLVED TO RECOMMEND: APPROVE the PC would like to see a condition that this building remains ancillary to Pond House.</p>
<p>21/04006 OS Plot 2912 Maidstone Road Matfield, Tonbridge Kent</p>	<p>Variation of Condition 1 (Approved Plans) of 20/03306/REM - Plot substitutions of housetypes (Amendment of approved drawing numbers to reflect the plot substitutions of housetypes) RESOLVED TO RECOMMEND: APPROVE The PC highlights letter from Kent Police dated 4th Jan '22. "Plot 15 is more likely to be vulnerable due to adjacent footpath running along the property".</p>
<p>21/04073 Moatlands Manor Watermans Lane Paddock Wood Tonbridge Kent TN12 6ND</p>	<p>Demolition of three dwellings and erection of three replacement homes; Including the demolition and replacement of an existing domestic garage RESOLVED TO RECOMMEND: NEUTRAL The Parish Council would like this application to be considered under category Y of the Tunbridge Wells Agreement. The Parish Council has a large number of concerns and would like the application to be subject to the following planning conditions: 1. that the exterior lighting and light spillage from the rooflights is assessed and reduced as much as possible (use of automatic blinds at night for example), in order to protect dark skies and wildlife; 3 bat species observed as living within 5 kms of the site in 2019 have a very low tolerance for light (Daubenton's, Natterer's and Brandt's), artificial lighting is likely to impact their feeding and breeding patterns, prompting a migration; 2. that a suitable and realistic strategy to replace the bat roosts must be provided, approved and implemented prior to demolition commencing. The two bat boxes suggested would only offer sufficient space to re-home the common pipistrelle roost onsite and does not constitute an enhancement as suggested in the planning statement. Brown long-eared bats have used the dwellings as a roost in the past and are likely to return as pointed out in the bat survey. A further 9 species of bats have been observed as living close to the site in 2019, none of which have been reported as taking part in mixed-species roosts, and would therefore need their own bat boxes as enhancement; 3. that no work should be undertaken on the buildings during bat hibernation season; 4. that no work should be undertaken on the hedging during bird nesting season; 5. that permitted development rights be removed in order to protect the landscape; 6. that the existing separate gate be removed and the new hedge planted prior to demolition and construction commencing, in order to ensure that this benefit to the landscape of the rural lane materialises; 7. that the proposed 2.4 m high wall be reduced in height, in order to protect the landscape; 8. that the proposed orchard is planted with standard fruit trees instead of small ones, to ensure that the new building, being closer to the road, is not more intrusive in the landscape; 9. that the TPO'd lime tree (T1) be retained and its root protection zone protected as well as the oak trees;</p>

	<p>10. that an additional parking space for visitors is provided, to meet the new requirements for Zone C, especially as Watermans Lane is very narrow and unsuitable for parking;</p> <p>11. that information concerning water saving, carbon reduction and renewable energy measures, together with the provision of electric vehicle charging points is submitted and approved prior to construction commencing;</p> <p>12. that construction traffic approaches from the western end of Waterman’s Lane, in order to protect the narrow sunken part of this historic rural lane.</p>
21/04085 Gedges Farm Crittenden Road Matfield Tonbridge TN12 7EJ	<p>Variation of Condition 2 (Approved Plans) of 19/01948/FULL - Replace approved drawing 16023-PL 21G with revised drawing PL03A, approved drawing 16023-PL 22D with revised drawing PL04A and approved drawing 16023-PL 25 with drawing PL01.</p> <p>RESOLVED TO RECOMMEND: APPROVE</p>

2. Confirmation of Planning Recommendations submitted in December 2021 – see attached, as agreed
The Council noted responses that were submitted outside of PC Meetings during December:

21/03791/FULL The Old Stables Little Dunks Farm Cuckoo Lane Brenchley	<p>Provision of an all-weather surface manege.</p> <p>PC Recommendation submitted: NEUTRAL</p> <p>1. The PC is concerned about water from the manege eventually feeding into the watercourse alongside Cuckoo Lane. please see attached surface water map (sent to officer). The PC would like to see a condition to include an assurance that the proposed drainage system will not exacerbate local flooding.</p> <p>2. Although mentioned in the Design and Access Statement, the PC would like to see a condition for the use of the manege to be exclusively for private residential and no commercial use. The PC is concerned about possible extra equine transport of lorries and horse box trailers on Cuckoo Lane.</p> <p>3. Although mentioned in the Design and Access Statement, the PC would like a condition that no outside lighting at the manege is permitted. This is to protect dark skies within the AONB.</p> <p>4. The PC would like to see a condition requiring a native species hedge to be planted around the manege to protect and enhance the AONB landscape and to provide biodiversity net gain.</p> <p>5. The PC would like to see a condition requiring the land to be returned to agricultural use if it ceases to be used as a manege in the future.</p>
21/03967/FULL and 68 LBC The Star Inn, Maidstone Road, Matfield, Tonbridge	<p>Erection of five bay timber seating booth</p> <p>PC Recommendation submitted: REFUSE REFUSE in this application's current form</p> <p>1. The Star Inn is Grade II Listed and stands within Matfield Conservation Area and within AONB. It is noted that there are 15 planning constraints on this site.</p> <p>2. The PC would like to point out that The Star Inn stands within Matfield Conservation Area and not outside as per the Heritage Statement accompanying this application. The Heritage Statement also fails to note listed properties which are neighbouring and opposite.</p> <p>3. The proposed timber building will stand in a prominent position and will be highly visible from Maidstone Road B2160. The PC is concerned about the detrimental impact on its listed curtilage at The Star Inn. The PC would like to see photographic montages from all angles to be able to assess the proposed visual impact on the protected landscape.</p>

	<p>4. The PC feels the proposed application requires more detail in the plans. It is felt that this prominent timber structure has no architectural merit, and it is noted that the opening to the booths will face E/NE and will therefore receive limited sunlight.</p> <p>5. The PC feels the plans require more detail with the exact dimensions of the building together with the outside timber decking.</p> <p>6. The PC wishes to support this local business but feels this application should be refused. The PC suggests that a temporary structure such as a marquee could be erected for Covid restrictions. The PC feels that an outdoor structure/space requires to be sited in a less prominent position to preserve Matfield's Conservation Area landscape.</p>
<p>21/03945/FULL Acorn House , Windmill Hill, Brenchley, Tonbridge, TN12 7NP</p>	<p>Variation of Condition 2 (Approved Plans) of 18/02474/FULL - Design changes to allow construction following checks on site</p> <p>PC Recommendation submitted: APPROVE</p> <ol style="list-style-type: none"> 1. This house is within LBD and within AONB 2. The PC notes there are only two documents with this application but wishes to highlight the number of internal changes from approved application 18/02474, together with the increased fenestration. 3. With the loss of garage space, the PC is concerned about the reduced space for parking and turning vehicles in the drive. 4. In the interest of protecting the residential amenities of adjacent dwellings, the PC requests that TWBC repeats Condition 4 of the approved 18/02474 application.
<p>21/03865/FULL Land Rear Of Maynard Cottages, Brenchley Road, Matfield, Tonbridge, Kent,</p>	<p>Change of use and conversion of an existing outbuilding to provide a two bedroom holiday let, with associated amenity area, landscaping and parking</p> <p>PC Recommendation submitted: REFUSE</p> <p>The PC requests that this application can be considered under 4.8 d. (Y) of the Tunbridge Wells Agreement 2020.</p> <ol style="list-style-type: none"> 1. This piece of land stands outside LBD and within AONB. 2. The current access road and building on this site have never been given planning permission. 3. This piece of land stands alone in AONB and is not associated with any nearby dwellings. 4. The current building on the land is subject to an extant Enforcement Notice for its unlawful use. An appeal against this notice was dismissed by the Planning Inspectorate and the Enforcement Notice upheld. 5. TWBC refused application in 2019/20 for the building to become a domestic store. The site is considered in an unsustainable location and not close to any amenities. 6. The Landscape and Biodiversity Officer made consultation response in 2019/20 "should the building be proposed as a residential dwelling at any time, the location would not be considered appropriate, and the existing access would not be considered an acceptable entrance to a dwelling". 7. The delegated report 2019/20 highlighted that "the extant Enforcement Notice seeks the removal of domestic paraphernalia from the site and the recent appeal decision did not remove this requirement, and therefore the appearance of the site, and the AONB should be improved as part of the compliance with the Notice". The PC notes that this enforcement has not been imposed. 8. If TWBC is considering approving this application, the PC feels it would effectively legalise a residential use, access, and parking separate from Maynards Cottages that has been held to be unlawful.

	<p>9. The PC feels that the current building is visible from the road and other angles especially in winter months, and the proposed new building causes harm to the character and appearance of the surrounding areas and fails to conserve or enhance the landscape and scenic beauty of the AONB.</p> <p>10. The PC feels that this application does not comply with Policy T3 of the Local Plan 2006, because the existing building is clearly not one whose loss would be detrimental to the countryside. This application also does not meet the requirements of policies ED5 and ED7 of the TWBC Submission Draft Local Plan</p>
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3. Planning spreadsheet review of 2021 attached

The Council considered the schedule of Planning Applications for the period January-December 2021 and noted the very high number of applications in the period, 123. The Planning Committee was commended for the extensive amount of work and their expertise and the spreadsheet would be published for residents to see.

7. Policy and Management

1. Disciplinary Policy

The Chair had tabled a draft policy, based on the NALC template.

RESOLVED to adopt the Disciplinary Policy

2. Privacy notice

Cllr Buttery had circulated amendments to the Privacy Policy which were briefly discussed and some small amendments suggested.

RESOLVED to adopt the amended Privacy Notice

3. Toilet management contract - update

Cllr Buttery advised that the contract with TWBC ends in March 2022 and TWBC has increased its proposed management fee to £15,000 (from £12,000) and the proposed agreement includes the possibility of additional uncapped charges for repairs to the buildings. The Parish Council discussed an offer from TWBC to take on the ownership and responsibility for the management of the toilets and the land adjacent to each, subject to a clawback clause if alternative use(s) are obtained from a planning permission and/ or either or both properties are sold or redeveloped.

It was agreed that this option would be explored further so that the Council could agree terms before the end of the current management contracts on 31st March. Cllr Buttery would contact TWBC to progress this.

4. Closure of St Luke's Churchyard - to discuss

Cllr Butler advised that the public notice for the closure of the Churchyard had been issued but there was an error in the address which may delay the process a little longer. It is likely that the formal notification would be received in the next few months, at which time the PC would have three months to respond. Extensive research on the implications of the matter had been undertaken in 2019 and this had been circulated for all Councillors to review.

The Clerk was making further enquiries with TWBC, should the Council divert responsibility to the Borough, as to the likelihood of costs for regular maintenance of the land, as well as any exceptional costs such as to

mature trees, to be re-charged back to parishioners. This may be either by the addition of a Special Expenses charge to Council Tax bills to properties in the parish or by re-charge direct to the Parish Council, which would then have to precept for it.

It was noted that the Council had not anticipated accepting full financial responsibility for the churchyard and had budgeted only £500 in the 2022-23 budget for additional work at St Luke's.

8. Treework and Ground work – to discuss

1. Work highlighted in the parish tree survey

Cllr Butler outlined that Treeworks carried out a tree survey in March 2018 and highlighted work that needed to be carried out within six months and other work that needed to be carried out within a year, which has been completed. The Council does not have a nominated tree warden and the Clerk has instructed work on a reactive basis where needed.

The Council discussed the need to undertake work that was urgent due to health of the trees and safety of the public but agreed to await the next full tree survey, which was due in March 2023 under the requirements of the previous insurance company. Enquiries are being made into the frequency of tree surveys required by the new insurance company.

2. H&S treework at Porters Wood

In the parish tree survey two decayed oak trees were identified as requiring attention on health and safety grounds. A Picus test was recommended for the trees and a quote had been obtained. The Council did not agree to have the Picus tests carried out at the present time and would wait for the recommendations of the next full tree survey.

3. Work on the trees at the allotments

Two quotations have been received to carry out work on the line of trees on the western boundary of the allotments. The Clerk advised that work to the mature trees at the top boundary had not been considered by any previous Councils and had not been included in the general parish tree survey. It was agreed that the Council would include the large trees on this allotment boundary in the main survey in March 2023 and that no work would be done on these trees until then. Work to clear the encroaching brambles on the boundary and to uncover the boundary fence was discussed and agreed.

RESOLVED to instruct Weald Tree Services to clear the encroaching brambles at the Thorn Barn boundary line at the allotment site.

4. Quotes for clearing the PC triangle behind the toilets

Quotations have been received for clearing the triangle of land behind Matfield public toilets, strimming to a mulch but not removing the debris removing the broken shed and reinstating the gate.

RESOLVED to instruct Weald Tree Services to clear the area behind Matfield public toilets.

9. Transport & Highways

1. Highways Improvement Plan

Cllr Churchill outlined that content had been moved to the new HIP template as required by KCC and there was some discussion of possible additions. It was noted that only one or two items would be considered for action by KCC every year and the Traffic Working Party would meet in the next few months to consider priorities and update the HIP with data to underpin requests.

Concerns were raised at the unintended consequence of the “Not Suitable for HGVs” signs at Blind Lane and Windmill Hill, in that lorries were now diverting up Holly Bank, creating much damage on the War Memorial land. The Clerk was asked to contact KCC to request an additional sign at the bottom of Holly Bank.

2. Litter signs

Cllr Churchill advised that signs asking the public not to litter around the Parish would cost around £100 for ten and that this could be obtained via the KCC Member’s Grant. It was agreed that this item and others totalling the £300 minimum for the grant application would be considered at the March meeting, before the next litter pick in the Spring.

10. Finance & Administration

1. Confirmation of Budget, Precept and Tax Base

Following confirmation of the Tax Base by TWBC (based on the number of band D equivalent dwellings in the area) the Council reviewed the proposed Budget and Precept for 2022-23. The Band D equivalent will be £91.05 (£87.74 in 2021-22 which equates to an increase of 3.7%).

RESOLVED that the 2022-2023 budget of £144,200 and precept requirement of £132,900, be approved and submitted to TWBC by the Clerk.

2. Interim Internal Audit report

Cllr Buttery drew the Council’s attention to the two items listed as “amber” category in the interim report and that the Finance Committee would consider the report at its next meeting. Risk Assessment training had been offered by TWBC and the date of this would be circulated to all who wished to attend.

3. Accounts payable

2099	HMRC	Tax and NI December 2021	£645.51
2100	C. Brooks	Mileage / OT / Dec Salary Balance	£109.92
2101	K.Twyman	December Cleaning of Pavilion (7th and 21st December)	£56.00
2102	BMH	Donation for use of car park	£1500.00
2103	Roundabout	Annual advert	£290.00
2104	David Buckett	Interim Audit	£339.85
2107	Cloud and Data	Installation of new line	£80.40
2121	Knockout Print	Neighbourhood Plan	£114.00
2122	C, Manwaring	Reimbursement of Insurance for Christmas Event	£96.00
2123	Gillespie	Reimbursement of electric socket for Christmas lights	£280.00

Interim Payments made in December as previously agreed

2105	Business Stream	Pond Water historic balance	£383.87
2106	Business Stream	Allotment water balance	£336.64

Credit Card Payments made

2108	Pimms	Christmas Trees	£115.00
2109	Lloyds Bank Fees	Monthly Fee November	£3.00

Standing Orders and Direct Debits

2110	SO C. Brooks	Salary December 2021	£1806.47
2111	SO Panetta Horn	Salary December 2021	£519.82
2112	SO Capel Ground Care	Mowing Contract Jan 2019- Dec 2021 – final payment	£796.00
2113	DD Smart Pension	December 21 Pension Payment	£331.92
2114	DD EDF Energy	Pavilion Electricity December 2021	£86.00

2115	DD Microshade	Monthly data and application service	£124.30
2116	DD Business Stream	December 21 Pavilion water and waste	£8.00
2117	DD Grenke	Quarterly rental	£122.40
2118	DD Grenke	Annual protection cover for 2022	£106.80
2119	DD Eon	Streetlight electricity	£132.20
2120	DD Unity Bank	Bank Service Charge	£32.10

The RFO having provided invoices for scrutiny the accounts were approved and would be authorised by Cllr Wells and Cllr Warner.

11. Assets of Community Value

1. Update on the ACV applications to TWBC

The Council discussed correspondence with Laura Wade regarding the application for an ACV designation for Terry's Butchers and agreed that the Proper Officer would, if required, exercise suitable redaction to protect commercially sensitive, and personal, information.

RESOLVED that the application for designation of Terry's Butchers in Brenchley as an Asset of Community Value be withdrawn.

It was agreed that a resident who had suggested a presentation for the family would be asked to organise any collection or event.

RESOLVED that the Council would contribute a gift to the value of £50, from the Chairman's Allowance to acknowledge the contribution of the Tester family to the parish.

12. Meetings attended and reports by Councillors

Cllr Butler attended a site visit with David Goodridge (B&MNDP), TWBC (Antonia James), Fernhman Homes (Chris Loughhead and David Payne) and KCC (Margaret Parker, and James Pronger) regarding the proposed pedestrian crossing location on Brenchley Road on 8th December 2021.

Cllrs Butler, Akenhead and Miconnet attended the TWBC Planning Meeting on Enforcement, 6th January 2022.

13. To be advised of urgent business as may be previously notified

The Council discussed the request from TWBC to nominate the appointment of an Examiner for the Neighbourhood Development Plan, preferably before the end of the Regulation 16 Consultation, with the NDP Steering Group having been circulated for comment. The Council agreed that the Clerk would advise TWBC that Andrew Ashcroft would be nominated.

14. Date of next meeting:

Provisional Full Council Meeting 25th January 2022, 7.30pm venue tbc

Full Council Meeting 7th February 2022, 7.30pm, venue tbc