

## PARISH COUNCIL OF BENENDEN

### Minutes of the Ordinary Parish Council Meeting held on Monday 18<sup>th</sup> September 2023, 7pm, Memorial Hall

Present	Cllrs Beveridge, Cochrane, Cruse, Driver, Grant, Lewis, Presgrave and Thomas.	
In Attendance	Cllr Dawlings. 1 parishioner.	
<b>Item</b>		<b>Action Responsibility</b>
1. APOLOGIES	Apologies were received from Cllrs Hagan and Warne, and the Parish Clerk	
2. DECLARATION OF INTERESTS	No declarations of interest.	
3. MINUTES OF PREVIOUS MEETING	The Parish Council minutes from the meeting held on 17 <sup>th</sup> July were unanimously approved as a correct record of the meeting.	
4. REPORTS BY COUNTY/ BOROUGH COUNCILLORS	<p>Cllr Dawlings reported :</p> <ul style="list-style-type: none"> <li>• South East Water will be attending a Scrutiny Committee in November to discuss the problems with water supply and communication with householders.</li> <li>• The new Weald of Kent Constituency is vast, mostly rural and comprises approximately 60 parishes with the largest towns being Tenterden and Cranbrook. A Constituency Association is to be set up and there is a need for Members to better understand rural communities. Katie Lam, the Conservative candidate, has been approached in this regard.</li> <li>• Cranbrook and Sissinghurst NDP referendum has been held. The turnout was low, with 1,140 voting Yes and 89 voting No.</li> </ul>	
5. REPORTS BY CHAIR AND PARISH COUNCILLORS	<p><u>a. Civic Amenity Vehicle</u></p> <p>TWBC has advised that the service will not be reintroduced. It was suspended due to the various impacts of covid and the need for it is not demonstrated. TWBC is focussed on safeguarding its finances and this will result in a saving of £30k (net) a year. Residents are encouraged to make individual arrangements with a licensed waste carrier to collect and dispose of large items properly; use Household Waste Recycling Centres; freecycle/sell; use repair cafes. Cllr Dawlings had asked for a local centre but this is unlikely as KCC is closing centres.</p>	
6. PLANNING	<p><u>a. Minutes of the Meeting Held on 30<sup>th</sup> August 2023</u></p> <p>The minutes of the Planning Meeting held on 30<sup>th</sup> August were unanimously approved as a correct record of the meeting.</p> <p><u>b. Applications</u></p> <ul style="list-style-type: none"> <li>• <b>23/02274/FULL Stable Cottage, Nineveh Lane.</b> Variation of Condition 2 of Planning Permission 22/02931/FULL (Conversion of former stable building for purposes incidental to the main dwelling. Reinstatement of historic mansard roof.) Replacement of rear rooflights with 3 no. dormer windows <ul style="list-style-type: none"> <li>❖ Pre-app advice not sought.</li> <li>❖ APPLICATION FORM INFO: Proposal to replace 3 roof lights to rear with 3 dormer windows. Dormers were previously approved in application ref 16/503108. The approved application was for home gym, storage and garden room with French doors to rear decking on ground floor and home cinema/playroom on first floor with internal staircase. A further application 16/505359/FULL to amend the consent sought to insert 3 dormer windows in front elevation, and mono pitch dormer in rear elevation with balcony was refused. This proposal is to have the dormers facing the rear and the external staircase removed and located internally so that front elevation appears more in keeping with existing elevation.</li> <li>❖ GENERAL COMMENT: The Stable building originally had a Mansard roof and space was used as a hayloft with external access. Restoration of roof structure to Mansard roof with external staircase in current permission with roof lights in rear elevation is appropriate development for this building to remain subservient and ancillary to main cottage. Dormer windows and an internal staircase will cause the building to be more domestic in style and character.</li> </ul> </li> </ul> <p><b>The Parish Council agreed to neither object nor support this application but to express concern</b></p>	

Chairman..... Date.....

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*These minutes are not a verbatim record of the meeting, but a summary of discussion and decisions taken at the meeting.*

<p>that the proposal will alter the appearance of the building causing it to be domestic in style and character.</p> <ul style="list-style-type: none"> <li>• <b>23/02067/FULL Land At Netters Farm Attwaters Lane, Hawkhurst.</b> Proposed Development of a Photovoltaic Solar Array, Battery Storage and Associated Infrastructure (Resubmission of 22/01695/FULL)</li> <li>❖ <u>D&amp;A Statement:</u> <ul style="list-style-type: none"> <li>○ Application previously submitted June 2022 (22/01695/FULL) subsequently withdrawn by applicant following objection by local highway authority in relation to concerns over safe access to the Site. Applicant (RNA Energy Limited) has subsequently worked with KCC to resolve concerns over safe access and now in a position to resubmit application for determination.</li> <li>○ Application now accompanied by Environmental Statement (ES) as required to assess likely significant effects of proposed development on environment during construction and operation.</li> <li>○ Landowner seeks to contribute towards renewable energy and to diversify farm operations by using in-field solar arrays to generate revenue that can be used to enable a change in land management across farm holding. Landowner does not want to develop full extent of land holding and has worked with the energy company to determine the locations within Netters Farm that would have the least visual impact.</li> <li>○ The photovoltaic solar array would operate for 40 years, after which it would be decommissioned and site returned to its existing condition, unless planning permission is secured for continued operation.</li> </ul> </li> <li>❖ Main elements of development (as previous submission) are listed in the application.</li> <li>❖ Lighting: Limited to Switchgear and Control Buildings. Low level lighting to be positioned above access doors and only activated by passive infra-red sensors for security/emergency purposes or when switched on by maintenance engineer. No areas of site would be continuously lit during operation. Lighting during construction phase only during hours of darkness.</li> <li>❖ Construction : 28 weeks. Access : all construction access routed from A229 Hawkhurst Road with two alternatives - via Water Lane 'laydown area' and site via Attwaters Lane and Nineveh Lane approaching site from west and separate route further north along the B2086 onto Babbs Lane approaching site along Nineveh Lane from east. Route between Water Lane laydown area and site via Attwaters Lane utilised by tractor and trailer units and staff access only. Staff encouraged to park at laydown area and car share to site or use staff minibus. No HGVs will be routed along this section. HGVs will be routed via Babbs Lane.</li> <li>❖ D&amp;A Statement Conclusion para. 7.1.33 <i>proposed development would therefore not result in any unacceptable impacts in terms of ecology, and would result in a substantial biodiversity net gain across the Site.</i> 7.1.34 [...] <i>would contribute to tackling the Biodiversity Emergency declared by TWBC.</i></li> <li>❖ Para. 13.3.12 <i>Consideration of Proposed Development with regards to demonstrating exceptional circumstances for 'major' development in the AONB is set out below for NPPF para. 177, at paras. 13.3.33 to 13.3.37 of this statement.</i></li> <li>❖ <u>BPC previous response to original application as follows:</u> July 2022 unanimously objected to application : Proposal will cause a disconnect and separation of landscape and its natural wildlife corridors with the introduction of 3.4km of 2.1m high deer fencing, and will transform rural landscape with rows of solar arrays and 1.05km of 3.5m wide access tracks, and buildings which require concrete slabs to be constructed. Narrow single track lanes will be disturbed and damaged during construction by transportation of large machinery to site. These ancient routeways cannot support type of activity proposed. No amount of 'repair' can compensate for damage to natural essence of verges on both sides of lane. Required Buffer Area for Ancient Woodland is +30m not 15m. Site is within B-Lines shown in Map 7 of TWBC Biodiversity Evidence Base. Among many constraints for this site is classification as Biodiversity Opportunity Areas which suggests that site should/could be used as a BOA but it must be without the negatives of a solar array. PRoW WC134 runs immediately alongside length of western boundary of 'northern' parcel. The Pre-app advice given in 2021 stated in summary that: "Although the Local Planning Authority are supportive of the principle of renewable energy schemes, there are significant concerns about the proposal given the size of the development</li> </ul>
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and its highly sensitive location within the High Weald AONB and open countryside. The development also has the potential to harm the setting of nearby heritage assets. Given the high sensitivity of the site, I recommend that you do not proceed further with your enquiry and explore other less sensitive locations." (This still stands as further advice has not been sought) This location is unsuitable for this type of development. Solar arrays should not be sited in the rural landscape in the heart of the countryside within the AONB. Whilst Benenden Parish Council supports the principle of the use of renewable energy, this proposal will completely transform this isolated, rural location for a period of at least 40 years, and will cause the loss of use of farmland, which whilst not of BMV quality, is farmland none the less and should be retained to contribute towards national food security. Solar Farms are better located on brownfield sites, alongside main roads (or at least those with 2 lanes), next to railway lines/motorways, and outside the AONB. Benenden Parish Council urges TWBC to refuse this proposal to accord with its statutory duty to preserve and enhance the AONB in accordance with the High Weald AONB Management Plan.

❖ Major Development in the AONB and Exceptional Circumstances

- Application suggests that Exceptional Circumstances apply.
- Paras 13.3.35 to 37 of D&A Statement: Alternative site review was undertaken and 'no available and deliverable sites within TW borough, outside the AONB were identified.' 'Landowner seeks to contribute to tackling climate emergency, as well as diversify farm operations [...] and to enable future generations to continue to farm land in viable and sustainable manner. Alternative locations outside AONB are therefore not appropriate in this instance.' Para 13.3.37 considers that Para 177 of NPPF is satisfied and demonstration of exceptional circumstances is justified AONB. Planning balance should weigh in favour of proposed development.

Application fails to comply with Landscape and Environment Objective at Chapter 1 of BNDP: **To protect valued environmental assets and support Benenden's peaceful, rural, way of life. Recognising that the parish of Benenden is one of the most unspoilt parts of the High Weald AONB, the policies will enable villagers and visitors to continue to enjoy the countryside, important Local Green Spaces, Public Rights of Way (PRoW), views and dark skies.**

The policies contained in Chapter 1 seek to protect, enhance and preserve the rural landscape character of the parish.

Proposal does not comply with Policy LE1 Protect and Enhance the Countryside, and Policy LE3 PRoW (WC308 to east of site within Benenden Parish potentially affected), and overall aim of BNDP. Should be noted that BNDP policies complement those contained in NPPF 2021 paras. 174-177; TWBC Local Plan 2006, TWBC Pre-Submission Local Plan policies relating to landscape, High Weald AONB Management Plan 2019-2024: Objectives and principles of designation as an AONB; and TWBC Landscape Character Assessment 2017 — Character Area 6: Benenden Wooded Farmland. The BNDP forms the Development Plan for TW Borough in the parish of Benenden.

The Parish Council agreed that exceptional circumstances for major development in AONB has not been demonstrated. The application has not changed and the pre-app advice remains as given prior to original application. **The Parish Council unanimously agreed to object to this application.**

The landowner spoke to the meeting and explained that 6 hectares is within Benenden parish and 9 hectares within Cranbrook and Sissinghurst and that the array will be barely visible from the road. There is no funding available from the UK government or Europe and this is the way forward for farming, and a win for the environment.

- **23/02298/FULL Apple Garth (Land Rear), Cranbrook Road.** Installation of solar panels for domestic use
- ❖ Usual Site Constraints.
- ❖ Array comprises 48 panels, 26m x 4m located in far corner of field to rear of house.
- ❖ Pre-app advice sought and given: [...] *the array would sit approx. 78m outside the residential curtilage of the site, approx 120m away from the main dwelling. Development of this kind is acceptable in principle provided there would not be any significant visual harm. Assessing the impact upon visual amenity, the Case Officer response stated: The solar panel array would be*

	<p><i>set back from the road by approx. 140m. Hedging and greenery around the site would further provide some screening. Given these factors, this element would not be considered to be prominent. As it would be within fairly close proximity to the main dwelling/associated garden land, there is not considered to be any harm caused to the AONB.</i></p> <ul style="list-style-type: none"> <li>❖ D&amp;A STATEMENT: Solar array would generate 22,000KWh of electricity which would meet consumption requirements of house and pool during summer months and as much of winter usage as possible. The PV panels would be set out as a single ground mounted structure in one line measuring 25m by 4m. Angled height would be 2.75m.</li> <li>❖ COMPLIES WITH: NPPF paras. 152 &amp; 158 (Meeting the challenge of climate change), BNDP BD8 and LP policies.</li> <li>❖ GENERAL COMMENTS: Aerial view shows would not be possible to locate array within residential curtilage due to dense tree cover. Array would only be visible from the air. Pitched roof of house is orientated east/west and would therefore not achieve sufficient sunlight.</li> </ul> <p><b>The Parish Council unanimously agreed to support this application.</b></p> <p><u>c. Other Planning Matters</u></p> <p><u>i. TWBC Planning Approvals Contrary to BPC Comment and TWBC/Applicant Lack of Reference to BNDP</u></p> <ul style="list-style-type: none"> <li>• Cllr Thomas to email the Head of Planning regarding specific applications when the Planning Officer has made a decision contrary to the Parish Council’s recommendations, and ask that Planning Officers are reminded and aware of the 3-day rule as set out in the Tunbridge Wells Agreement. The 3-day rule is brought in if a Planning Officer is minded to make a decision contrary to the Parish Council’s recommendation, then they have a duty to contact the Parish Council at least 3 days before the Decision due date and give the Parish Council an opportunity to discuss further. Cllr Thomas will also highlight the lack of reference to BNDP.</li> </ul> <p><u>ii. Benenden Hospital Site Development – Esquire Developments</u></p> <ul style="list-style-type: none"> <li>• Cllrs Beveridge, Grant and Thomas attended a meeting on 11<sup>th</sup> September with representatives from TWBC and Esquire Developments.</li> <li>• The Parish Council considered Esquire’s updated proposals and agreed that the Scheme B+, drawing 30226A/11, is the more acceptable option although there are still some reservations about the design of the Garland Wing. The Parish Council unanimously agreed that the mansard roof design is the preferred option, but queries why the ground level had to be adjusted.</li> <li>• Local wildlife, fungi and grasses surveys need to be carried out to assess whether the play area in the NEQ would be harmful. This is the preferred location but may have to be moved to the bite area.</li> <li>• The use of the cricket pavilion as a community space is being looked on favourably by the Hospital Society, but the cost of refurbishment needs to be established.</li> <li>• BPC has made compromises on the numbers of dwellings and some green field use and wants to ensure the community benefits in return. BPC has a duty to serve the community, secure community space and other obligations.</li> <li>• Cllr Thomas to draft a response.</li> </ul>	<p>NT</p> <p>NT</p>
<p>7. HIGHWAYS, FOOTPATHS &amp; TRANSPORT</p>	<p><u>a. Highways Improvement Plan</u></p> <ul style="list-style-type: none"> <li>• Cllr Driver continues to chase KCC and emailed Nigel Rowe on 5<sup>th</sup> August asking for an update on the outstanding issues from the HIP but again has had no response.</li> <li>• Cllr Holden to be asked to try to progress with Highways.</li> </ul> <p><u>b. Water main upgrade – South East Water</u></p> <ul style="list-style-type: none"> <li>• SE Water is to replace 1.1 kilometres of water main along Golford Road. The new pipe will replace an ageing burst-prone main.</li> <li>• Work will take place north of Hemsted Forest Equestrian Centre and Golford Road will be closed from its junction with Tenterden Road through to the junction with Goddards Green Road. A diversion will be signposted.</li> </ul>	<p>PD</p>

- Access will be maintained for residents and businesses.
- Work is due to begin on Monday 9 October and is expected to take about 11 weeks to complete.
- Progress can be monitored at [southeastwater.co.uk/Golford](http://southeastwater.co.uk/Golford).

8. RESOURCING/  
FINANCE

a. Monthly Finance

TRANSACTIONS FROM 1st July 2023

Brought forward **75842.35**

Income

Payee	Reference	Amount
B&IG WI	Copying	3.60
AXA Insurance	Insurance Claim	30080.86
BVT	Laptop recharge	246.46
Donations	Wells	327.00

TOTAL **30657.92**

Expenditure

Supplier	Reference	Amount
DD Nest	Pension	77.81
BACS Anthony Hicks	Wells Restoration	2538.00
BACS Employee	Staffing Costs	1040.42
BACS o2	Telephone	31.56
BACS Tompsett Landscaping	Grounds Maintenance	390.91
BACS EDF	Public Toilets	102.76
BACS TP Jones & Co	Payroll Q1	63.40
BACS WKPS	Annual Subscription	35.00
BACS Currys	Laptop	591.50
BACS Anthony Hicks	Wells Restoration	2106.97
BACS Iden Green Pavilion	Meeting	16.00
BACS PCC	Church Clock	895.00

TOTAL **7889.33**

Reconciled with bank statement 082 31st July 2023 **98610.94**

TRANSACTIONS FROM 1st August 2023

Brought forward **98610.94**

Income

Payee	Reference	Amount
B&IG WI	Copying	3.60
Race Night	Fundraising	556.00
Donations	Wells	1250.00

TOTAL **1809.60**

Expenditure

Supplier	Reference	Amount
DD Nest	Pension	77.81
BACS Employee	Staffing Costs	1040.42
BACS o2	Telephone	31.56
BACS Anthony Hicks	Wells Restoration	6472.56
BACS Tompsett Landscaping	Grounds Maintenance	297.31
BACS Landscape Services	Grounds Maintenance	298.68
BACS Business Stream	Public Toilets	22.09
BACS Nicola Thomas	Wells fundraising/Jazz and Blues Float	500.00
BACS A J Gallagher	Insurance	1191.98

	<p>TOTAL <span style="float: right;"><b>9932.41</b></span></p> <p>Reconciled with bank statement 084 31st 2023 August <span style="float: right;"><b>90488.13</b></span></p> <p>September payments approved :</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Employee</td> <td style="width: 40%;">Staffing Costs</td> <td style="width: 30%; text-align: right;">1040.42</td> </tr> <tr> <td>o2</td> <td>Telephone</td> <td style="text-align: right;">31.56</td> </tr> <tr> <td>Post Office</td> <td>Postage</td> <td style="text-align: right;">1.85</td> </tr> <tr> <td>Tompsett Landscaping</td> <td>Grounds Maintenance</td> <td style="text-align: right;">297.31</td> </tr> <tr> <td>Anthony Hicks</td> <td>Wells Restoration</td> <td style="text-align: right;">6204.72</td> </tr> <tr> <td>Iden Green Pavilion</td> <td>Jazz&amp;Blues Event</td> <td style="text-align: right;">60.00</td> </tr> <tr> <td>EDF</td> <td>Public Toilets</td> <td style="text-align: right;">41.20</td> </tr> <tr> <td>ACT Landservices</td> <td>Meadow Mowing</td> <td style="text-align: right;">300.00</td> </tr> <tr> <td>C Heath/SEWater</td> <td>Allotments</td> <td style="text-align: right;">91.00</td> </tr> <tr> <td>Phil Robins</td> <td>Phone Kiosk</td> <td style="text-align: right;">589.33</td> </tr> <tr> <td></td> <td style="text-align: right;"><b>Total</b></td> <td style="text-align: right;"><b>8932.00</b></td> </tr> </table> <p><b>b. Fundraising</b></p> <p>Cllr Thomas thanked those who made the Parish Council's recent Parish Wells Fundraising events a success. The total amount raised from the Race Night event was £556.00 and £2,157.66 from the Jazz and Blues event.</p>	Employee	Staffing Costs	1040.42	o2	Telephone	31.56	Post Office	Postage	1.85	Tompsett Landscaping	Grounds Maintenance	297.31	Anthony Hicks	Wells Restoration	6204.72	Iden Green Pavilion	Jazz&Blues Event	60.00	EDF	Public Toilets	41.20	ACT Landservices	Meadow Mowing	300.00	C Heath/SEWater	Allotments	91.00	Phil Robins	Phone Kiosk	589.33		<b>Total</b>	<b>8932.00</b>	
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9. ENVIRONMENT & MAINTENANCE	<p><b>a. Beacon Field Wildflower Meadow</b></p> <ul style="list-style-type: none"> <li>• Chris Thomas carried out a cut of the meadow with the arisings left at the edge of the field.</li> <li>• At very short notice a volunteer day was arranged by Bumblebee Conservation Trust on 1<sup>st</sup> September. Cllr Driver attended. Remaining arisings from the recent cut were raked off to expose bare ground and some yellow rattle seed sown.</li> <li>• BCT has offered to put some laminated signs up displaying "Wildflower Meadow Under Construction" along with the BCT logo and Benenden Parish Council.</li> <li>• BCT has also offered to write an article for the Parish Magazine. BPC welcomes this.</li> </ul> <p><b>b. Parish Wells</b></p> <ul style="list-style-type: none"> <li>• The repair of Benenden Well is now complete. The roof tiles in place are temporary whilst the missing tiles are made to match the existing and these will be reinstated once ready. Anthony Hicks will advise of the additional costings of supplying the decorative tiles.</li> <li>• The Clerk has confirmed with Anthony Hicks that the Parish Council is now in a position to go ahead with the work on Iden Green Well.</li> <li>• Anthony Hicks has advised that they do not know the whereabouts of the Parish Council's missing banner. The Clerk to arrange the purchase of another banner.</li> <li>• It was agreed that a "ceremony" would be held to mark the refurbishment of the Well.</li> <li>• The Clerk to ask Tompsett to carry out a strim of the grass around the Well.</li> <li>• Cllr Grant has received no response from Sussex Lund regarding a grant application and will approach them again with an application for £7,500, match funded by BPC.</li> </ul> <p><b>c. Village Asset/Maintenance Report</b></p> <ul style="list-style-type: none"> <li>• A parishioner has commented that the flagpole on the Green does not need replacing, just painting. BPC had identified this as a risk. Cllr Hagan to carry out another check.</li> </ul> <p><b>d. Telephone Kiosks</b></p> <ul style="list-style-type: none"> <li>• A parishioner has suggested to Cllr Hagan that the Iden Green kiosk could be used for tourist information, with local walking routes and print outs for Walkers to use, a small notice board showing local events and advertising space for local tradesmen.</li> <li>• Parish Councillors agreed that this was a good idea, and could be taken forward by a parishioner, and that this and other information should be posted on a new noticeboard.</li> </ul>	<p>CL</p> <p>CL</p> <p>PG</p> <p>GH</p>																																	
10. VILLAGE ORGANISATIONS/ COMMUNITY	<p><b>a. Allotments</b></p> <ul style="list-style-type: none"> <li>• The tenancy to BAA was granted on 19 July 2023. Management of the site is now BAA's</li> </ul>																																		



	<p>responsibility under the terms of their tenancy.</p> <ul style="list-style-type: none"> <li>• The access and installation of gates have been installed, with some finishing work due to be carried out this week.</li> <li>• BAA to be asked for a full update/report for BPC October meeting.</li> </ul> <p><u>b. Public Toilets</u></p> <ul style="list-style-type: none"> <li>• Further quotes were sought and the tendering process has now finished.</li> <li>• The Parish Council considered the 7 quotes received and unanimously agreed that the contract be awarded to London County Contracts.</li> <li>• The Clerk to make contact with all those who quoted and advise of the Parish Council's decision.</li> <li>• Cllr Thomas to speak to BVT.</li> <li>• Cllrs Thomas and Grant to work on a planning application.</li> </ul>	<b>NT NT/PG</b>
11. CORRESPONDENCE/ PARISHIONERS' QUESTIONS	<p><u>a. Crossroads Parking Visibility :</u></p> <p>A parishioner had contacted BPC regarding parking, visibility and road safety at Benenden Crossroads. The Clerk had responded that BPC shares these concerns and has been discussing safety measures at the Crossroads with KCC Highways. Cllr Thomas to include an item in the magazine expressing concern and alert drivers to the legalities of parking near a junction. The Clerk will also put a notice on the website and social media asking drivers to park considerately.</p>	<b>NT CL</b>
DATE OF NEXT MEETING	Date of Next Meeting: Monday 16 <sup>th</sup> October 2023, 7pm, Iden Green Pavilion	
	The meeting closed at 9.15pm.	

Cllr P Grant, 18<sup>th</sup> September 2023