

PARISH COUNCIL OF BENENDEN

Minutes of the Annual Parish Council Meeting held on Monday 20th May 2024, 7pm, Iden Grenn Pavilion

Present	Cllrs Beveridge, Cochrane, Cruse, Driver, Grant, Hagan, Lewis and Thomas.	
In Attendance	Cllrs Dawlings, Holden, Neville and Palmer. C Levett, Clerk.	
Item		Action Responsibility
	<p>Cllr Thomas noted the passing of Peter Blockley who served on the Parish Council and as Chair for many years.</p> <p>Cllr Thomas welcomed Benenden's new Borough Councillors Ellen Neville and Beverley Palmer, and congratulated Cllr Dawlings on his re-election.</p>	
1. ELECTION CHAIR OF THE PARISH	Cllr Beveridge nominated Cllr Thomas as Chair of the Parish Council. This was seconded by Cllr Lewis and unanimously agreed.	
2. ELECTION OF VICE CHAIR	Cllr Thomas nominated Cllr Grant as Vice Chair of the Parish Council. This was seconded by Cllr Hagan and unanimously agreed.	
3. APOLOGIES	Apologies were received from Cllr Presgrave.	
4. DECLARATION OF INTERESTS	Cllr Thomas declared an interest in planning applications 24/01092/FULL Beacon Hall Farm and 24/01131/FULL Timber Building And Land Dingleeden as her employer is acting as agent for Beacon Hall Farm, and as a consultant on land at Dingleeden.	
5. MINUTES OF PREVIOUS MEETING	The Parish Council minutes from the meeting held on 15 th April were unanimously approved as a correct record of the meeting.	
6. REPORTS BY COUNTY/ BOROUGH COUNCILLORS	<p>Cllr Neville reported concerns raised by residents including :</p> <ul style="list-style-type: none"> ❖ Committees have not been appointed yet ❖ Lorry speeds along Cranbrook Road. ❖ Traffic speeds along New Pond Road, particularly exiting Hortons Close. BPC advised that a new 30mph limit will come into force as part of Uphill development. ❖ The Near Miss Register is not used as a source of evidence by KCC Highways when making their assessments of speed or accident spots. ❖ Complaints from residents at Harmsworth Court about security and antisocial. Cllr Neville has spoken to the Housing Association. ❖ Two new residents living on the edge of the village feeling isolated. BPC encourages residents to read the Village Magazine and look at the events which take place every month. Volunteering in the Shop is a positive way to meet people. <p>Cllr Palmer also commented on the issues of speeding and the importance of Highways Improvement Plans. BPC has an HIP.</p> <p>Cllr Dawlings reported :</p> <ul style="list-style-type: none"> ❖ Committees should be finalised before the Annual Meeting of TWBC on 29th May. ❖ Strategic planning – Parish Councils are better able to determine priorities for local projects. ❖ Anti-social behaviour remains a concern at Pullington Cottages. Residents are logging issues as requested by TWBC and Town and Country. Cllr Dawlings has again raised the issue with the Chief Executive at T&C and with the Community Safety Officer. <p>Cllr Holden reported :</p> <ul style="list-style-type: none"> ❖ Following the Environment and Transport Committee's decision to create an inspectorate to deal with road closures, abuse of power, enforcement and fines, the 4 positions on this inspectorate have now been filled. ❖ There have been considerable delays issuing Education, Health and Care Plans for children with special educational needs due to the dramatic and unexpected rise in numbers. ❖ Cranbrook and Sissinghurst Parish Council has met with the KCC Cabinet Member regarding its campaign for a new, non-selective secondary school to serve the Weald. There are not sufficient numbers to create a new school, although this will be determined by the Department for Education. KCC is supportive of a community led specialist or free school. 	

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

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

	Cllr Thomas thanked Cllr Holden for representing Benenden for the past 16 years, and although he has stood down as a Borough Councillor he will remain a County Councillor.	
7. REPORTS BY CHAIR AND PARISH COUNCILLORS	BPC has been invited to attend the TWBC Annual Meeting on Wednesday 29 th May, 10am and the Mayor Making Ceremony for Cllr Nancy Warne, and to the reception that follows the ceremony.	
8. PLANNING	<p><u>a. Planning Applications</u></p> <ul style="list-style-type: none"> • 24/00875/FULL School Farm, Cranbrook Road. Replacement of existing dwelling to create five bedroom dwelling, together with associated garage and car parking ❖ Property comprises The Cowshed which has extant consent to convert and extend to a 3-bed dwelling - BPC supported. ❖ Proposal is to replace the Cowshed and outbuilding to create a 5-bed detached dwelling, existing access to remain the same with new driveway and landscaping arrangements. The existing holiday let at the front of the site on the west boundary will be retained. ❖ The new dwelling will be formed of a 'U' shape with a central courtyard are to the front (south). The northwestern path would be two storey, with the remainder being single storey. All parts of the property would have a pitched roof, covered with zinc cladding. The two storey element would have brickwork at ground level and vertical timber cladding at first floor. The single storey elements would be faced with vertical timber cladding. ❖ First floor of northwestern end would accommodate 3 bedrooms. ❖ A new driveway and parking area will provide space for 4 cars serving both the dwelling and the holiday let. ❖ A single storey garage to the front of the house, together with a formal garden area between. The land to the rear of the house and an adjacent field will remain as existing. ❖ The application takes into account the relevant policies of the BNDP as well as HWAONB Management Plan, HW Housing Design Guide and the Kent Design Guide. ❖ The previous residential consents at the site (19/00903/FULL and 22/03019/FULL) confirmed that the creation of a dwelling at this site could be supported in principle. Permission 22/03019/FULL for the main building (The Cowshed) on the site to be converted and extended to create a detached dwelling at the application site remains extant; granted in April 2023 and can be implemented at any time until April 2026. ❖ The planning statement notes that in effect there is already a detached dwelling at the site and this application should be assessed on the basis of the proposal being for a replacement dwelling. ❖ The proposal design is for a high quality appearance and a contemporary approach to a more traditional design, taking visual clues from the site's historic agricultural use. The 'U' shaped dwelling would have two gable features at either end, resembling barn structures. The central courtyard at the front would equally resemble a farmstead setting. The appropriate mix of brickwork and timber cladding is supported by the HW Housing Design Guide. ❖ The Planning Statement and Design Statement details the proposal and photos of the existing buildings. The existing buildings are of poor quality and the site would benefit from a replacement dwelling with the proposed design quality (IMHO). ❖ Reference is also made to a recent consent on the neighbouring site of West Winds, replacing the existing dwelling with a new, larger dwelling (23/01953/FULL). BPC supported this application. <p>The Parish Council unanimously agreed to support this application with request for lighting conditions under BD5 Dark Skies Policy of the BNDP.</p> <ul style="list-style-type: none"> • 24/01092/FULL Beacon Hall Farm, Rolvenden Road. Removal of Condition 5 relating to agricultural occupancy of planning permission 82/01069/OUT ❖ SITE CONSTRAINTS: Parish Wide BNDP Policies, HWNL, and 6 other usual constraints. ❖ SITE HISTORY: 82/01069/OUT Outline - Bungalow for agricultural worker – approved; 83/00419/REM Reserved Matters - Bungalow for agricultural worker - approved; 24/00125/LDCEX Lawful Development Certificate (Existing) - Use as a dwellinghouse in ; on-compliance with Condition 5 of TW/82/1069 (Agricultural Occupancy Condition) – approved. ❖ LISTED BUILDINGS IN PROXIMITY: None in immediate proximity. 	

- ❖ PLANNING STATEMENT INFO: Agent’s supporting statement is very comprehensive.
 - ❖ GENERAL COMMENTS:
 - LDC 24/00125/LDCEX approved on 18 March 2024 confirmed the lawful existing use of the property in non-compliance with Condition 5 of TW/82/1069 (Agricultural Occupancy Condition).
 - This application seeks removal of the AOC condition as it no longer serves a purpose or meets the six tests.
 - As the existing use of the dwelling is now lawful, the requirement for the agricultural restriction is unnecessary, unreasonable and unenforceable and no longer serves any useful purpose. Its removal will not cause any planning harm.
- The Parish Council unanimously agreed to support this application.**
- **24/01159/FULL Under Mount, Cranbrook Road.** Variation of Condition 2 of 22/01692/FULL - Adjustments to the design including: Erection of a balcony on rear elevation of two-storey side extension; Amendments to roof lights on front elevation of two-storey side extension; Addition of sun tunnels on rear elevation; Addition of solar panels on to roof.
- The Planning Group has no objection to these revisions and **the Parish Council unanimously agreed to support this application.**
- **24/01131/FULL Timber Building And Land Dingledden.** Change use of former agricultural building into a 4-bedroom dwelling
- The Parish Council unanimously agreed to make the following comments :
- ❖ This structure was rebuilt in 2019 following its collapse in 2018. At the time it was suggested by the Rural Planning Consultant that the design looked more domestic than it did for forestry, agriculture, storage, etc.
 - ❖ The replacement structure was approved under 21/00313/FULL.
 - ❖ The proposal now is to change its use to a 4-bed dwelling. Single storey, part mezzanine for the master bedroom. Replace existing zinc roof with slate. Add solar panels to the rear roof. Erect a car barn with room above to the left-hand side of the entrance gates.
 - ❖ External lighting is proposed in the form of passive infrared bollard lighting and downlighting wall lights. Please note that in order to conform to the BNDP Dark Skies Policy BD5, exterior lights must be operated by PIR sensors and must not be left on all night. Should this application be approved, the parish council requests that this is conditioned. In such a rural remote location any lighting will cause light pollution and BD5 must be complied with to protect the intrinsically dark landscape of the HWNL and the wildlife.
 - ❖ The Pre-application advice was noted as follows: *The gist of the advice was that the first issue was whether the building was agriculturally redundant. If it was decided that the building was redundant, then the remaining issues would be (1) the extent of any alteration; (2) whether the conversion would have a detrimental effect on the building's character; (3) whether the new area of curtilage/car parking would harm the character of the countryside; (4) whether, since the building had only been built in 2019, there had been a genuine agricultural justification for the original building; (5) whether re-using the building would be inappropriate; (6) whether the conversion would meet an identified local need.*
 - ❖ As regards (2) BPC considers that the windows to the west (rear) elevation appear to be too large and not in keeping with a barn conversion. Because the building is in a particularly rural part of the parish, the amount of light emitting from those windows at night would be detrimental to the natural habitat.
 - ❖ As regards (3) the addition of a car barn and parking area will certainly domesticate and harm the rural landscape. The car barn should be of a lower height so as not to dominate the barn itself.
 - ❖ As regards (4) it appears that a genuine agricultural justification for the rebuild of the collapsed barn was not evidenced in 2019.
 - ❖ As regards (6) the conversion does not meet an identified local need which is for smaller units of 2 to 3 beds.
 - ❖ BPC also understands that TWBC has currently met its requirement of housing land supply.

- **24/01210/AGRIC Hilltop Farm, Hinksden Road.** Prior Notification of agricultural development - Erection of agricultural barn

The Parish Council unanimously agreed to make the following comments :

- ❖ This Prior Notification for permitted development for an agricultural barn should be considered alongside the current application 24/00495/FULL for the already existing barn on site, which proposes adjusting the internal layout and altering the use to mixed agricultural storage. The application plans reveal that the current layout of the site is in breach of the original consent permitted under 20/00039/FULL.
- ❖ The original application for this site under 19/02447/FULL sited the proposed barn in the same location as this proposal for a much larger agricultural barn. The application was refused by TWBC. The location at the top of the hill in a prominent position of the HWNL, within close proximity to an overhead power line, and being far from the entrance to the site were among the reasons for refusal.
- ❖ The barn proposed under this Prior Notification is much larger than the existing barn on site and located in the most prominent position sited near the power line.
- ❖ The Prior Notification implies that there is an agricultural need, but as the applicant seeks to reduce the agricultural storage in the existing barn to enable a mixed use for his business purposes, the justification of need must be tried and tested.
- ❖ The site history, together with the current application to be determined regarding the lifting of conditions under 24/00495/FULL requires a FULL application in respect of this additional barn, which is submitted under the pretext of permitted development for agriculture. This will enable a thorough assessment and justification of need. It is essential that the Prior Notification is considered in the context of the application to release conditions imposed on the use of the existing barn.

With reference to application 24/00495/FULL, Cllr Dawlings advised that the TWBC Planning Enforcement Officer has visited the site.

- **23/03274/FULL Benenden Hospital Goddards Green Road**

- ❖ BPC discussed the additional information received on this application, being an independent Financial Viability Review for s106 contributions carried out on the applicant’s Viability Report, and which concludes that no contributions can be paid.
- ❖ BPC unanimously agreed that maintaining the level of 30% Affordable Housing for the development is of the highest importance, as this is in compliance with the Benenden NDP Site Specific Policies SSP3 (1) and SSP4 (1).
- ❖ BPC welcomes the offer from the applicant of £3,448 per dwelling towards the s106 contributions requested but acknowledges that this leaves a considerable shortfall of circa £866,000 towards KCC identified county infrastructure requirements relating to the application.
- ❖ BPC urges both the applicant and TWBC to consider the recommendation made by KCC Development Investment Team, being investigation into the Housing Infrastructure Fund which would consider Marginal Viability Funding of projects such as these. In the Supporting Document for Marginal Viability, the Government sets out that:
 - *Marginal Viability Funding: This will be used to provide the final, or missing, piece of infrastructure funding in order to get existing sites unblocked quickly or new sites allocated. We expect the infrastructure to be built soon after schemes have been awarded funding, and for the homes to follow at pace.*
- ❖ According to a FOI request made by the Financial Times in January 2024, there is still £2.9bn remaining “in the pot” for this fund, so it would appear to be a funding source well worth pursuing to enable the s106 shortfall to be fully financed.

8b. Other Planning Matters

- **23/00295/OPDEV** enforcement enquiry. 1 Pullington Cottages

	<p>Following the complaint raised some time ago concerning the new access and drive which has been developed at 1 Pullington Cottages, TWBC Planning Enforcement Officer has advised :</p> <ul style="list-style-type: none"> ❖ This does require planning permission due to the classification of the road, but TWBC has been unable to achieve compliance with the tenant or the housing association who own the property. ❖ Also reported to KCC Highways to see if there are safety concerns, but no response has been received. ❖ The Enforcement Officer has persistently tried to make contact over the last 7 months with the housing association to ask them to either revert the land to its former state of gate and bushes or apply to retain the new driveway and entrance, but has been unable to achieve compliance. ❖ The Enforcement Officer has discussed with Planning Officers and management, and as Highways are not willing to take any action for safety concerns, TWBC would likely approve an application, should it be submitted. ❖ It would not be expedient to pursue further enforcement action and therefore TWBC has closed the case. <ul style="list-style-type: none"> • Cllr Dawlings reported that a Freedom of Information request has been made regarding all his communication with TWBC regarding Apple Pie Farm. 																																																																																
9. HIGHWAYS, FOOTPATHS & TRANSPORT	<ul style="list-style-type: none"> • Cllr Driver initially submitted Benenden's Highways Improvement Plan in 2022 and has met with the KCC Highways Community Engagement Officer. • There has been lack of progress and Cllr Driver has chased the outstanding items to extend the 30 mph limit along the B2086 towards the entrance to Benenden School and the proposal for a Vehicle Activated Sign in Mill Street. • Cllr Holden asked Cllr Driver to forward email communications to him. 	PD																																																																															
10. RESOURCING/ FINANCE	<p><u>a. Monthly Finance</u></p> <p>TRANSACTIONS FROM 1st April 2024</p> <table border="0" style="width: 100%;"> <tr> <td>Brought forward</td> <td style="text-align: right;">69467.48</td> </tr> <tr> <td>Income</td> <td></td> </tr> <tr> <td style="padding-left: 20px;">Payee</td> <td style="padding-left: 20px;">Reference</td> <td style="text-align: right;">Amount</td> </tr> <tr> <td style="padding-left: 40px;">TWBC</td> <td style="padding-left: 40px;">Precept</td> <td style="text-align: right;">24875.00</td> </tr> <tr> <td style="padding-left: 40px;">B&IG WI</td> <td style="padding-left: 40px;">Copying</td> <td style="text-align: right;">1.80</td> </tr> <tr> <td>TOTAL</td> <td></td> <td style="text-align: right;">24876.80</td> </tr> <tr> <td>Expenditure</td> <td></td> <td></td> </tr> <tr> <td style="padding-left: 20px;">Supplier</td> <td style="padding-left: 20px;">Reference</td> <td style="text-align: right;">Amount</td> </tr> <tr> <td>BACS F&C Cleaning</td> <td>Public Toilet Cleaning</td> <td style="text-align: right;">690.00</td> </tr> <tr> <td>BACS Tompsett Landscaping</td> <td>Grounds Maintenance</td> <td style="text-align: right;">156.00</td> </tr> <tr> <td>BACS Employee</td> <td>Staffing Costs</td> <td style="text-align: right;">1113.81</td> </tr> <tr> <td>BACS o2</td> <td>Telephone</td> <td style="text-align: right;">31.56</td> </tr> <tr> <td>BACS Benenden's Shop</td> <td>Village Tidy</td> <td style="text-align: right;">89.55</td> </tr> <tr> <td>BACS Peter Ellis/Safelincs</td> <td>Defibrillator Pads</td> <td style="text-align: right;">58.73</td> </tr> <tr> <td>BACS KALC</td> <td>Annual Subscription</td> <td style="text-align: right;">921.40</td> </tr> <tr> <td>BACS Paul Leek/123 Reg</td> <td>Neighbourhood Plan</td> <td style="text-align: right;">121.05</td> </tr> <tr> <td>BACS edf</td> <td>Public Toilets</td> <td style="text-align: right;">99.72</td> </tr> <tr> <td>SO WKPS</td> <td>Annual Subscription</td> <td style="text-align: right;">35.00</td> </tr> <tr> <td>TOTAL</td> <td></td> <td style="text-align: right;">3316.82</td> </tr> <tr> <td>Reconciled with bank statement 094 30th April 2024</td> <td></td> <td style="text-align: right;">91027.46</td> </tr> <tr> <td>Approved May 2024 Payments :</td> <td></td> <td></td> </tr> <tr> <td>DD Nest</td> <td>Pension</td> <td style="text-align: right;">169.10</td> </tr> <tr> <td>BACS F&C Cleaning</td> <td>Public Toilet Cleaning</td> <td style="text-align: right;">720.00</td> </tr> <tr> <td>BACS Tompsett Landscaping</td> <td>Grounds Maintenance</td> <td style="text-align: right;">156.00</td> </tr> <tr> <td>BACS Employee</td> <td>Staffing Costs</td> <td style="text-align: right;">1113.81</td> </tr> <tr> <td>BACS o2</td> <td>Telephone</td> <td style="text-align: right;">31.80</td> </tr> <tr> <td>BACS Business Stream</td> <td>Public Toilets</td> <td style="text-align: right;">26.83</td> </tr> </table>	Brought forward	69467.48	Income		Payee	Reference	Amount	TWBC	Precept	24875.00	B&IG WI	Copying	1.80	TOTAL		24876.80	Expenditure			Supplier	Reference	Amount	BACS F&C Cleaning	Public Toilet Cleaning	690.00	BACS Tompsett Landscaping	Grounds Maintenance	156.00	BACS Employee	Staffing Costs	1113.81	BACS o2	Telephone	31.56	BACS Benenden's Shop	Village Tidy	89.55	BACS Peter Ellis/Safelincs	Defibrillator Pads	58.73	BACS KALC	Annual Subscription	921.40	BACS Paul Leek/123 Reg	Neighbourhood Plan	121.05	BACS edf	Public Toilets	99.72	SO WKPS	Annual Subscription	35.00	TOTAL		3316.82	Reconciled with bank statement 094 30th April 2024		91027.46	Approved May 2024 Payments :			DD Nest	Pension	169.10	BACS F&C Cleaning	Public Toilet Cleaning	720.00	BACS Tompsett Landscaping	Grounds Maintenance	156.00	BACS Employee	Staffing Costs	1113.81	BACS o2	Telephone	31.80	BACS Business Stream	Public Toilets	26.83	
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11. ENVIRONMENT & MAINTENANCE	<p>a. Beacon Field Wildflower Meadow</p> <ul style="list-style-type: none"> • Cllr Driver met with Alex Hodges of Bumblebee Conservation to discuss the plan for this year. There are positive signs of progress and diversity has increased; there are established patches of Knapweed, Ox-Eye Daisy, Common Vetch and Yellow Rattle. There is a lot of Bird's-Foot Trefoil, Red and White Clovers although Bristly Ox-Tongue and Creeping Thistle continue to be problematic. • A suitable date is being looked at for Benenden School to attend and help dig up the bristly ox-tongue. • It was unanimously agreed to ask Chris Thomas to carry out an early high cut to help deal with the creeping thistle. • Cllr Driver has set up a facebook group, Benenden Nature, to keep people informed and updated and to share knowledge and sightings. • KCC has advised that the detailed report on the terms for the lease agreement has been submitted for approval. Cllr Holden suggested a lease longer than the propose 5 years. BPC will consider the draft lease once received. <p>b. Village Asset/Maintenance Report</p> <p>i. Parish Wells</p> <ul style="list-style-type: none"> • Anthony Hicks had advised that about 75% of the roof tiles on Iden Green Well are concrete and not Kent peg tiles. Some of the existing Kent peg tiles are damaged. In total more than 80% of the roof tiles will need to be replaced, and BPC agreed all would be Kent peg tiles. • The original quote regarding the well roof from Anthony Hicks allowed for the labour costs to remove tiles, store tiles, supply and fit new treated softwood battens, supply and fit treated tilt fillet, refit tiles at a cost of £3,880 + VAT + the cost of any tiles required supplied at cost and reproduction hand-made. Anthony Hicks has advised that the additional cost of the replacement tiles will be £2,664 + VAT. • It was agreed to consult with TW Conservation Officer regarding the installation of bollards at the Wells' sites. • Work required to the oak tree at the Iden Green Well site has been reported through the KCC Highways online reporting. <p>ii. Flagpole</p> <ul style="list-style-type: none"> • Cllr Presgrave has requested an agenda item for the next PCC meeting to discuss a financial 	CL												

	<p>contribution from St George's towards the cost of replacing the flagpole on the Green.</p> <ul style="list-style-type: none"> • Cllr Hagan has met with a metal fabricator who will quote for a metal brace at the bottom of the flagpole. • Consideration will be given to replacing the flagpole completely as the cost and complications of repairing the existing flagpole may be prohibitive. • Cllr Holden suggested to assist with funding an application could be made to the KCC Members Fund. <p>iii. Noticeboards</p> <ul style="list-style-type: none"> • The new noticeboard is ready to be installed at the Village Hall. Cllr Hagan will action this. • It was agreed to order the noticeboard for Iden Green bus stop. 	GH CL
12. VILLAGE ORGANISATIONS/ COMMUNITY	<p>a. Allotments A full report was circulated.</p> <ul style="list-style-type: none"> • New items to note : ❖ Grant bid submitted to Amity Allotment Fund for £1,900 has passed the initial screening. ❖ Work to start on funding for the parking area. ❖ Plots are active and the ground is drying out. ❖ A polytunnel did not survive the spring storms and had been replaced with a smaller structure of timber and polythene. ❖ An application for a shed and for a water structure were submitted, and these were unanimously agreed by the Parish Council. <p>b. Public Toilets</p> <ul style="list-style-type: none"> • Storage : Agreement between the PCC and BPC for fete storage to be signed. The Cricket Club was advised of the various suggestions and approaches made by BPC. • London County Contracts have been contacted and chased regarding the extractor fan, the cistern and the locking mechanism, but no progress to report. Cllr Hagan and the Clerk to discuss. <p>c. Annual Assembly : Saturday 25th May, 2pm, Iden Green Pavilion.</p> <p>d. D-Day 80 Year Commemoration</p> <ul style="list-style-type: none"> • Cllr Beveridge is working with the Bonfire Society regarding the lighting of the beacon on 6th June. • Cllr Beveridge has completed the risk assessment. 	GH/CL
13. CORRESPONDENCE/ PARISHIONERS' QUESTIONS		
DATE OF NEXT MEETING	Date of Next Meeting: Monday 17 th June 2024, 7pm, Iden Green Pavilion	
	The meeting closed at 8.50pm.	

C Levett, Clerk to Benenden Parish Councillor, 20th May 2024