



BRENCHLEY AND MATFIELD PARISH COUNCIL
Matfield Pavilion, The Green, Matfield, Kent, TN12 7JU
Tel: 01892 723586 www.brenchleyandmatfield-pc.gov.uk

MINUTES OF A MEETING OF BRENCHLEY AND MATFIELD PARISH COUNCIL HELD ON MONDAY 2nd DECEMBER 2024, AT 7PM AT MATFIELD PAVILION

Present: Councillors J. Buttery (Chair) presided, A. Dewdney, A. Stout, C. Anderson, C. Churchill, J. Reynolds, N. Thompson, C. Brooks (Clerk)

In attendance: Cllr Sarah Hamilton (part), 1 member of the public

1. To accept apologies for absence

The Council accepted apologies from Cllr Akenhead who is on holiday.

2. To approve Minutes of the last meeting

Minutes of the meeting of 4th November 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

None.

4. To adjourn to allow public participation.

None.

5. Borough and County Councillor

None.

6. Chairman's Announcements

- No meeting until Monday 13th January 2025.
- Planning comments will be delegated where they can't be extended to 15th January 2025 or to available Cllrs where there are conflicts of interest.
- HIP meeting with KCC is on 16th December 10.30am at Pavilion (CC and CB attending)
- PC Office closure times at Christmas – from 19th December reopening 6th January

7. Planning

1. Planning Applications

24/02286/SUB Little Cowden Farm, Fairmans Lane, Brenchley, Kent, TN12 7BB

Submission of Details in relation to Condition 3 - (External Materials); Condition 4 - (Contamination); Condition 7 - (Construction Management Plan) of 21/03395/FULL.

RESOLVED TO RECOMMEND: REFUSE

The Parish Council thanks the applicant for stating that "Deliveries will be scheduled to avoid peak time and school start and finish times."

However we are concerned about the proposed routeing of construction vehicles:

"Large vehicles will, in the main, be travelling from the A228. These vehicles will be routed to avoid going through Paddock Wood and Brenchley villages and residential areas as far as possible. From the A228 they will be directed to take the B2017, then Mascalls Court Road, Watermans Lane, Pixot Hill, Windmill

Hill, Horsmondean [sic] Road, Fairmans Lane”

Windmill Hill and Waterman’s Lane are clearly not suitable for Large vehicles and KCC Highways has erected signs on these roads that they are unsuitable for HGVs. We anticipated that the routing to and from the site would be via the A21 Kippings Cross roundabout and Matfield, hence our concern over the timings of vehicles passing the school.

We note that no details on site lighting have been provided nor have any details about how the proposed liaison with the community will take place during the construction period.

24/02585/FULL Swingle Swangle Farmhouse, Goshen Farm, Brenchley Road, Matfield, Kent, TN12 7DT
Levelling of garden & construction of wildflower meadow, woodland area, 2No. ponds, removal of brick culvert & re-instatement of natural stream, retaining brick wall, & woodland glade.

RESOLVED TO RECOMMEND: APPROVE

The application appears to comply with NDP policies LE1 Conserving and enhancing the AONB (it meets the HWAONB Management Plan’s water and woodland objectives), LE6 Biodiversity and LE7 Trees and hedges.

24/02642/FULL 44 Porters Wood, Petteridge Lane, Matfield, Kent, TN12 7LR
Installation of an air source heat pump to replace existing oil-based heating system.

APPLICATION WAS WITHDRAWN

24/01661/FULL The Pack House, Crittenden Road, Matfield, Kent, TN12 7EN
(Self-Build) Change of use of existing building to create a live/work unit and associated hard and soft landscaping.

RESOLVED TO RECOMMEND: REFUSE

The parish council repeats the request made in our objection last month that this application be considered under category Y of paragraph 4.8d of the Tunbridge Wells Agreement because of its conflict with the Brenchley and Matfield Neighbourhood Development Plan (NDP).

The proposal completely fails to comply with the requirements of Policy BE1, retention or redevelopment of agricultural buildings and commercial sites for residential use, which required independent evidence to be provided that there is no market demand for a suitable employment use on the site and the site has been proactively marketed for commercial uses over a period of at least 18 months.

The only difference from the original application is that the “playroom” has been removed to make space for a larger office. The applicant has not supplied any details of the business(es) that would be carried out in the converted building. For many such businesses a separate entrance, WC and car parking space from the rest of the dwelling might also be expected, and it does not appear to be the case here.

We remain concerned about the lack of parking space (NDP Policy AM3 Parking), the proposed rooflights (NDP Policy LE8 Dark Skies) and surface and foul water drainage (NDP Policy D8).

We are aware of a case (AHGR Ltd. v Kane-Laverack & Anor (2023) EWAC Civ) that considered a tenancy that was in breach of its lease which referred to a planning permission for a live/work unit. The discussion considered by the Appeal judges concerned whether the live and work areas should be delineated and have defined floor areas and whether the work area should be designated class B1. The Court of Appeal held that:

“the general intention behind the concept of a live/work unit is to create a situation where the occupier will both live and work at the relevant planning unit. This is particularly apparent from paragraph 3.3.2 of the SPG which refers to the “spirit of live/work use”. However the SPG also specifically recognises that if this general intention is to be achieved in relation to a particular planning unit, the areas of the unit which are for living and those that are for working should be delineated, and that the work area should be designated for B1 use. This is because conditions which do not refer to a defined area of working floor space “appear to allow” single-person operations of the type which can be carried out from a dwelling house without planning permission to operate legitimately. The need for planning conditions to give effect to the general intention also appears from paragraph 5.1 of the SPG which provided that “the

following conditions should" be attached to a live/work unit. These conditions included showing the work part approved for purposes falling within class B1 and requiring the residential parts to be used in association with the work part of the live/work unit."

Therefore the courts concluded in this case, live/work meant live and/or work. As to the definition of work:

"it would be appropriate to leave the question of what "work", in a "live/work" development, might mean for an appropriate case in which it matters. This is because there might be different answers to the question depending on whether B1 use has been specified for any part of the premises".

In light of this case, and if TWBC was minded to grant permission for this proposal, we would request that TWBC implement a condition designating the work area class B1 use in order to ensure that the work element of the permission is enforceable. A condition preventing the separation of the B1 unit from the dwelling would also be necessary in order to ensure that it remains a live/work unit.

2. TWBC draft Local Plan – update following hearings

Cllr Akenhead and Cllr Dewdney attended the hearings on 14th November. The Inspector addressed matters with TWBC related to documents being put in late and there were significant concerns related to congestion in Paddock Wood should the proposals for development there proceed. There will be another consultation period after Christmas.

3. Development at Matfield Village Hall – update following meeting with MVHMC

Cllrs Buttery, Akenhead and Dewdney attended this meeting on 11th November, notes on the discussions had been circulated.

Council agreed to contact Clarendon to reiterate, and in support of the view of Matfield Village Hall Management Committee, that the transfers should be freehold and not on long leaseholds. It was also agreed that control of access to the two parking areas should be controlled via a gate which all parties should have ability to open and close independently without seeking permission of the other parties.

Cllr Buttery would draft the Council's response and circulate for agreement.

Action Cllr Buttery

4. 24/02743/EIASCO Scoping Report – to note consultation submission

Following circulation via email due to timeframes for the consultation (due by 26th November) for the Environmental Impact Assessment Scoping Report for 800 houses to the Northwest of Paddock Wood, the response was drafted by the Planning Committee.

8. Crossing at Brenchley School – to discuss

The Council discussed continued concerns regarding the safety of crossing the main roads in Brenchley (outside the school) and on Maidstone Road in Matfield. Cllr Reynolds advised that there has been increased interest amongst the school community in improving the road crossing safety outside the school and she has spoken with a developer who has some previous experience of securing traffic measures that were initially refused by KCC. The Council noted the support of Mike Martin MP and of the community generally, and that the HIP could run in parallel with other ways of obtaining delivery of projects in both villages. It was agreed that some further research would be carried out.

Action Cllr Reynolds

9. Meeting with Mike Martin MP – update

Council met with Mr Martin and notes on outcomes were sent to him. He had taken on board the important matters for the parish and advised of his support wherever possible.

10. Policy and Management Committee

Minutes of the meeting of 13th November were approved as an accurate record and were duly signed by the Chair.

RESOLVED to re-adopt the Section 106 Funding Policy unamended

RESOLVED to re-adopt the Scheme of Delegation unamended

RESOLVED to adopt the Procedure for Co-Option as amended

RESOLVED to adopt the Protocol for Meetings with Developers as amended

RESOLVED to adopt the Protocol for Meetings with Local Organisations as amended

RESOLVED to adopt the Environment, Sustainability and Climate Emergency Policy as amended

RESOLVED to adopt the Equality and Diversity Policy as amended

RESOLVED to approve the Risk Management Policy and Schedule

11. Draft Budget 2025-26 – to re-consider

Cllr Buttery outlined that the budget has been adjusted with salaries following the agreed NALC salary rates and the new NI rules following the budget.

Following confirmation of the Tax Base by TWBC (based on the number of band D equivalent dwellings in the area) the Parish Council confirmed the Precept for 2025-26 will be £145,500, the Band D equivalent will be £92.69 (£90.47 in 2024-25 which equates to an increase of 2.5%) and the approved net Budget of £157,536.

RESOLVED that the 2025-2026 net budget of £157,536 and precept requirement of £145,500, be approved and submitted to TWBC by the Clerk.

12. Interim Internal Audit – to receive and note

The interim internal audit was completed on 12th November with minimal advisory comments which the Council noted.

13. Responsible Financial Officer – to confirm appointment

Following the Council's delegation of this matter, an advertisement for a Responsible Finance Officer (RFO) was published locally, and through KALC. Applicants were interviewed on 12th November by Cllr Buttery, Cllr Dewdney and the Clerk and the post has been offered to Sarah Castro-Edwards, who has accepted by email, with some handover sessions currently in progress and a start date of 7th January 2025.

The Council noted and agreed the contract terms.

14. Cinderhill – to consider toddler sessions

The Council considered a request for forest school toddler sessions. A number of conditions were discussed and the Clerk would clarify these, including insurance and risk assessment matters. The Council agreed to offer a three-month trial for these sessions and the Clerk would take this forward with Cllr Akenhead.

15. Clerk's report

- Covenant has now been removed on the Old Palace
- South East Water are working on the leak on the road outside the Pavilion
- Flail cut has been completed behind parking area
- Corker work at allotments will be done 16th December, chippings and logs will be left there
- Xmas trees have been ordered, will be in place and lit this week
- Christmas Newsletter has been published together with article re Slow for Horses in Roundabout

- Files have been retrieved from ACRK which closed earlier this year, pertaining to BMH
- Urinal sensors have been replaced with our own (PHS no longer have a contract for these)
- A quote has been received from Buss Murton to draft the new Scout Hut Lease
- Pond monthly checklist has been provided to Richard Groves

1. Tree Survey – to consider quotes

The Council discussed three quotes for the tree survey, which is carried out every three years and is due in March 2025, with reference to the budget available.

RESOLVED to instruct Silva Woodland Management to undertake the Council's Tree Survey.

2. Donation Request – Open Spaces Society

The Council considered a donation request, with reference to the remaining budget for the financial year, but declined to donate to the Open Spaces Society. The Clerk would promote the donations policy and application form to local groups in the New Year.

16. RFO's Report

1. Accounts payable

3245	HMRC	Tax and NI Nov 2024	£601.15
3246	C. Brooks	Nov mileage £ 63.90 Salary Balance £61.24	£125.14
3247	K. Twyman	Pavilion Cleaning 7/11, 21/11	£75.00
3248	Waste Way	Oct bin collections Porters Wd & Brenchley Rec	£172.80
3249	Panetta Horn	November Pay increase	£38.96
3250	Buss Murton Law	ID Check	£18.00
3251	Scouts	Grant for storage shed	£500.00
3252	SSE	Streetlight electricity September 2024	£73.20
		Streetlight electricity October 2024	£75.63
3253	CPRE	Annual membership Oct 24-25	£84.00
3254	NPC Tree Surgery	Pollard Limes Matfield Green	£720.00
3255	Rexaus	Repair pipe from drain Brenchley toilets	£678.00
3256	The Garden Barber J Beach	Build storage container Matfield Pavilion	£40.00
3257	Mulberry	Interim audit	£325.86
3258	Roundabout	Annual Advert in Roundabout	£320.00
3259	West Riding Sign & Print	Beacon Plaque	£101.40
3260	Cloudnext	Website Hosting 2025	£179.98
		Domain name 2025	£60.00
3274	KALC	Standards Conference - Councillor Churchill	£84.00
3275	Chris Manwaring	Reimbursement of Christmas insurance	£114.80

Payments by Credit Card October expenditure

3261	Currys	Printer paper	£31.96
	Lloyds Multicard	Monthly fees October 2024	£3.00

Standing Orders and Direct Debits For Information

3262	SO C. Brooks	Salary November 2024	£1,979.75
3263	SO Panetta Horn	Salary November 2024	£648.20
3264	DD Smart Pension	November 2024 Pension Payment	£964.17
3265	DD EDF Energy	Pavilion Electricity October 2024	£216.00
3267	SO Microshade	Software support October	£200.17
3268	DD EDF Energy	Electricity Matfield Toilets October	£31.15
3269	DD Smart Pension	November Pension admin fee	£26.40
3270	SO Churchill Group	December Toilet Cleaning services	£817.31
3271	SO Capel Groundcare	Playground Inspections October 2024	£112.80
3272	SO Capel Groundcare	SIDs battery change, data and movement October	£164.87

3273 DD First Com Tec Works Monthly Phone and Broadband Service December £173.11

The RFO having provided invoices for scrutiny the accounts were approved for payment and would be authorised by Cllr Reynolds and Cllr Churchill.

17. Meetings attended and reports by Councillors

Cllr Churchill attended the Tunbridge Wells Transport Forum on 21st November

Cllr Churchill and the Clerk attended the Parish Council Police Meeting 28th November

Cllr Buttery attended the KALC Chairs meeting on 19th November

Cllr Buttery attended the KALC AGM on 30th November

18. To be advised of urgent business

None.

19. Date of next meeting: Monday 13th January 2025, 7pm, Matfield Pavilion