

A Meeting of the Parish Council was held at The Memorial Hall, The Street, Frittenden on Tuesday 5th November 2024 at 7.30pm.

Present were: Cllr A Staples
Cllr S Murray
Cllr L Gosbee
Cllr J Tuke
Cllr R Vernon
Cllr M Viviers

In attendance: Cllr A Fairweather (Borough), Cllr N Warne (Borough), Mrs E Nightingale (Clerk) & 3 members of the public

[The meeting was chaired by Cllr Staples (Vice Chairman) in the absence of Cllr Lawrence.]

PUBLIC FORUM:

A resident spoke about the appeal against the Enforcement Notice issued by TWBC in respect of the land behind the Knoxbridge Pub which was to be considered under item 13 of the agenda. They would welcome a well-run public house but questioned the need for a change in use of the land behind the Knoxbridge to facilitate that. They were also concerned that any change of use or development of that land permitted at this time could open up more extensive development in the future.

1. APOLOGIES FOR ABSENCE

Cllr G Lawrence, Cllr S Holden (County)

2. DECLARATIONS OF INTEREST (in accordance with the Members Code of Conduct Part 2)

None

3. BOROUGH COUNCILLOR UPDATE

Cllr Warne reported that little had been discussed at the last full meeting of TWBC save for the passing of the Caple Neighbourhood Plan.

Cllr Warne gave an update on the progress of the TWBC Local Plan, which it was hoped would be adopted in or around March 2025. That Local Plan would then immediately go into review as the cancellation of the Tudeley Village development left a shortfall in new housing supply even before the increased requirements of the new Government were taken into account. It was likely that the requirement would be increased from c.600 new homes per annum to c.1,000 per annum. Cllr Staples noted that this shortfall left the Borough vulnerable to inappropriate development because developers would be able to argue that planning permissions could not reasonably be refused on the basis that TWBC could not demonstrate the required 5-years housing supply. Cllr Fairweather agreed but noted that, whilst Frittenden was not in the Area of Outstanding Natural Beauty, it was protected to a degree by its lack of infrastructure etc. which meant that it would be difficult to argue that development was sustainable.

4. TO APPROVE THE MINUTES OF THE PREVIOUS PARISH COUNCIL MEETING HELD ON THE 1ST OCTOBER 2024

It was proposed by Cllr Gosbee, seconded by Cllr Vernon, and **RESOLVED** (2 abstentions) that the Minutes from the Council meeting on 1st October 2024 are a true and accurate record of that meeting.

That being so, the Vice Chairman will sign the said Minutes.

[The Vice Chairman then closed the meeting to allow a member of public who had just arrived to speak on the Appeal at item 13 of the agenda.]

The resident noted that the documents submitted in support of the appeal did not appear to contain sufficient evidence to substantiate statements of fact made by the applicant. The resident questioned the accuracy of some of those statements based on their own knowledge of the site.

[The meeting was re-opened by the Vice Chairman]

5. MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS PARISH COUNCIL MEETINGS

The Paddock

Cllr Staples noted that the Grounds Maintenance contractor had done a very poor job cutting the Paddock hedge.

Litterbin

The new litterbin had been installed next to the noticeboard.

Memorial Bench

Cllr Gosbee reported that the bench had been purchased but it was yet to be installed on the Parish Field.

6. EMAIL DOMAIN NAMES

The Clerk reported that recent GDPR and Accessibility guidance had suggested that Parish Councils should adopt .gov.uk domains for their general email address and separate .gov.uk domains for each member to use when corresponding on Council business. Cllr Tuke reported that this could be set up through Hugo Fox, but that there was an ongoing cost by way of additional monthly subscriptions. It was proposed by Cllr Staples, seconded by Cllr Vernon, and **RESOLVED** by all members present that no immediate action be taken in this regard as the cost was not justified for a Council of such small size, but that the position be reviewed in 12 months.

7. ASSET OF COMMUNITY VALUE

The Clerk reported that the Bell & Jorrocks had been re-registered by TWBC as an Asset of Community Value for a further 5 years.

8. HEADCORN AERODROME

Cllr Gosbee reported on the Headcorn Aerodrome Consultative Committee meeting on 8th October 2024.

The Aerodrome would be celebrative the 85th anniversary of the Battle of Britain on 28th and 29th June 2025.

An aircraft had been donated to the Aerodrome by the wife of a former pilot. Holmwood School pupils would be invited to view it as part of a community outreach initiative.

There had been a small number of complaints about overflying which were discussed. The Committee was very sympathetic to those impacted but this would happen from time to time due to weather conditions, inexperienced or visiting pilots etc. despite the measures in place to minimise incidents as far as possible.

9. MEETING DATES

Meeting dates for 2025 were agreed and will be published on the Parish Council's website. Meetings will take place on the first Tuesday of each month, except for August when no meeting takes place.

The Annual Parish Assembly will take place on Wednesday 14th May 2024.

10. SPEEDWATCH

Cllr Staples reported that 7 sessions had taken place, with 55 offenders being recorded out of 342 vehicles passing. The maximum speed noted was 51 mph. Cllr Staples was pleased to report that two new volunteers had joined Speedwatch.

11. PLAYGROUND INSPECTIONS / EQUIPMENT

Cllr Gosbee confirmed that inspections had taken place with nothing to report. Cllr Lawrence was costing the materials required to renovate/replace the steps up the mound.

12. ROAD REPORT

Cllr Gosbee reported that the edge of the road had broken off along Dig Dog Lane. This had been reported to Kent County Council.

Cllr Gosbee's request for white lines to be painted from the Headcorn side of the bridge to Brookwood had been refused on the basis of a lack of funds. He will try again in the Spring.

Cllr Gosbee had also asked for the narrow bridge sign on Biddenden Road that had been knocked off to be reinstated.

It was noted that the hedges at the top of Satins Hill had, once again, become overgrown. Cllr Gosbee will liaise with Cllr S Holden (County) to try to get this addressed.

13. PLANNING

New Applications

24/02546/FULL	Haffenden Farmhouse, Bubhurst Lane, Frittenden Variation of Condition 2 of Planning Permission 22/02113/FULL – Relocate proposed plant room to front of dwelling, incorporating a lean-to extension with a cat-slide roof Proposed by Cllr Vernon, Seconded by Cllr Staples RESOLVED TO RECOMMEND APPROVAL
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24/02553/PNQCLA	Land Adj Hall Barn Farm, Biddenden Road, Headcorn Prior notification for change of use of a building and land within curtilage from an agricultural use to Class C3 (4 dwellinghouses) and associated building operations. NOTED
24/02588/SUB	Four Acres, Cranbrook Road, Frittenden Submission of Details in relation to Condition 17 – (Biodiversity Enhancement); Condition 18 – (Landscape and Management Ecological Plan); of 21/01638/FULL NOTED

Outcome of Previous applications

24/02437/FULL	Land Adj to Shenlands Barn, Ayleswade Lane, Biddenden Proposed agricultural barn PERMISSION GRANTED
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Planning appeals

- APP/M2270/C/24/3346556 – The Knoxbridge, Knoxbridge, Frittenden : Appeal against Enforcement Notice Js/T019608 – Without Planning Permission the unauthorised material change of use of the Land from: a mixed use of agriculture and a campsite to : a mixed use of agriculture, a campsite and for the stationing of four mobile homes and a touring caravan for residential purposes and for the storage and parking of vehicles, a shipping container and storage of various residential paraphernalia.

It was proposed by Cllr Vernon, seconded by Cllr Viviers and **RESOLVED** by all members present that the Parish Council make representations to the Planning Inspector as an interested party and the following was subsequently submitted via the Appeals Portal:

Frittenden Parish Council make the following comments regarding the Appeal based on local first-hand knowledge of the site:

1. *The Knoxbridge Public House ('Pub') is currently closed and not trading. The Pub was closed 2009-2016. It was also closed from December 2021 through to March 2023 and closed again in 2024. The Pub has accommodation within the Pub building itself and the previous owner lived in the Pub with no staff accommodation in the field and the most recent managers who left in 2024 lived in a neighbouring village and not on site. We would question the need to provide staff accommodation on the site outside of the Pub itself.*
2. *There are no current camping operations on the site and there have been no camping operations on the site since prior to 2022. The camping business was operated by a third party and not the owner of the Pub. There have been no external events outside the Pub since prior to 2021 and prior to that external events were held once or twice a year. We are therefore unclear as to whether there is any camping or external event equipment on site which would require storage.*

3. *We therefore question any references in the Appeal statement and supporting documents to the need for accommodation for pub workers, viability of the pub, camping operations and the storage of equipment for external events.*
4. *Breach of planning control under the Town and Country Planning Act 1990 is the carrying out of operational development without planning permission. Under section 171B of the Act development becomes immune if no action is taken within a specified period (4 or 10 years depending on the nature of the breach and on the basis the breach occurred prior to 25 April 2024) of substantial completion of the development/the change of use. The burden of proof is on the Applicant to prove that on the balance of probability the 10/4 year rule has been met. The evidence of the Applicant should be precise and unambiguous which is not the case in this Appeal.*

We have not identified any unequivocal evidence within the Appeal papers to show that the caravans/mobile homes have been located on the site for more than 10 years in specific locations on the site. It is clear that there have been a variety of different numbers of and different types of caravans and mobile homes on the site in different locations over a number of years but we cannot see evidence of any particular caravan or mobile home being positioned in a specific location for more than 10 years which could be immune from enforcement action. There is no evidence that a specific caravan has been on the site throughout the 10-year period in a specific location. Evidence needs to show specific 'development' on a specific location on the site and this is not provided.

In relation to 'continuous' use of a caravan for more than 4 years with no material interruptions, we understand that short periods of vacancy can be ignored, however as stated above the Pub was closed and the site vacant from December 2021 through to March 2023 and the pub closed again in 2024. There is therefore no evidence of 4-year occupancy.

5. *In the event that the Appeal is dismissed and enforcement action is permitted then in our opinion clearing the site is by no means excessive and the 6-month period to comply is reasonable. Considerations relating to (i) the operation and viability of the pub (ii) loss of a home - when the Pub is not open and no-one is living on the site and (iii) a camping business are not relevant to this enforcement.*
6. *In relation to relevant planning policy, the development carried out on the site is causing significant harm to the residential amenity of adjoining occupiers; the nature of the development is causing significant harm to the amenity and character of the area in terms of noise, smell (smoke) and health and safety impacts and environmental harm; the development has had a material adverse impact on the landscape character; and the development is harming the heritage asset in terms of the listed building (Pub).*

14. GENERAL CORRESPONDENCE

- A resident had contacted the Clerk by email raising concerns about the possibility of residential development along Sand Lane following the sale of Brissenden Farm.
- The Clerk had received notice that Frittenden would no longer have a Community Warden following a costs-cutting exercise by Kent County Council.
- The Clerk had received notice of a new consultation on the Maidstone Borough Gypsy, Traveller and Travelling Showpeople Development Plan Document. This will be put on the agenda for the next meeting of the Council.

15. FINANCE

- It was proposed by Cllr Tuke, seconded by Cllr Gosbee, and **RESOLVED** by all members present to pay the accounts as follows:

FRITTENDEN PAYMENTS – NOVEMBER 2024					
Cheque Number	GROSS	VAT	NET	SUPPLIER	DETAILS
BACS	£17.00	Nil	£17.00	Frittenden Memorial Hall	Hall Hire (1 x session + winter surcharge)
BACS	£50.40	£8.40	£42.00	Urbaser Ltd	Street Cleansing – October
BACS	£51.80	Nil	£51.80	Mrs E Nightingale	Clerk's Expenses - November
BACS	£102.29	Nil	£102.29	Mrs E Nightingale	Clerk's Salary - November
BACS	£25.60	Nil	£25.60	HMRC	PAYE
BACS	£600.00	£100.00	£500.00	Lanmax Plant Transport Ltd	Hire of crane lorry to move Tent Team storage container
BACS	£148.80	£24.80	£124.00	Sean Croucher / Bell & Jorrocks	Reimbursement of cost of replacement defibrillator pads
BACS	£133.50	£22.25	£98.75	Glasdon UK Ltd	Supply of new litterbin
DD	£11.99	£2.00	£9.99	Hugo Fox	Website Hosting fee
DD	tbc	tbc	tbc	Npower	Streetlighting Energy – October
Total	£1,141.38	£157.45	£971.43		

There being no further business, the meeting was closed.

Chairman's Signature: _____

Date: _____